

# The Nation.

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## The Week.

IN the last few days of the canvass the Republicans in Vermont began to hope that their last year's majority could be increased by five or six thousand. Outsiders supposed them mistaken. The election comes in a busy time of the year for a rural population; the weather has been hot; the Democrats had not a ghost of a chance of carrying the State; and, altogether, it seemed likely that Republican carelessness would give "gains" for the *World*, and "Behold, how brightly breaks the morning!" would be in capitals in all the Democratic papers. But every Republican was out; in the heaviest vote ever cast the gain on last year's vote is probably nine thousand. This is because Hampton and Vallandigham were permitted to make themselves the present leaders of the Democratic party. Practically, the people are asked to say that we ought to give the negro back to his old owner, and substitute a South Carolina Black Code for the Civil Rights Bill. On that issue Vermont, at any rate, seems to have its mind made up. The effect will no doubt be good in Maine, and we dare say there are more Republican voters in Pennsylvania this morning than two days ago.

The South grows more, rather than less, disorderly, and unless there is truth in the story that the Northern Democrats are using all their powers of persuasion to keep the Southern brethren quiet till after the election, it seems as if we might very likely see Congress in session this month. It would be disagreeable for many reasons; but it may become necessary. Mr. Johnson's acts do nothing to make it unnecessary, and as for his words, he has recently been having one of his "conversations" with a Southern gentleman, which can hardly fail to increase the weekly number of murders in the South. He talked of removing Thomas from command in Tennessee, and putting Gillem, or Gordon Granger, or Rousseau, in his place. Thomas has declared in effect that civil war in Tennessee is imminent, and he of course may be relied on to support the Legislature and governor; Granger and Rousseau could probably be relied on to confront the state militia with Federal troops. But it is not likely that Mr. Johnson, however much it might suit his plans of future office-holding to put the Tennessee Democrats under obligations to him, will venture on doing what he talks about; but it is such talk that has done as much as any one thing to keep the South intractable. Just now it is wild enough without more goading.

The lower house of the Tennessee Legislature, we are glad to see, has passed the Militia Bill, and the Senate will do the same thing. It is said that more than 250 Republicans from various parts of the State have made affidavits before a committee of the Legislature that they, in their own persons, have been made the victims of shameful outrages of one kind and another, and further, they gave testimony concerning the sufferings of many others. Men, and even women, have been whipped, tortured, and murdered, for no offence but holding a political creed different from that of the Ku-klux Klan. This organization, or something practically the same, is at work throughout the South, and a branch

of it seems to be ready to begin operations in Missouri. The story that comes from Arkansas to the effect that in three counties of that State there is open rebellion, and that there have been skirmishes between rebels and Union men (it is just as well to use the old names when we have the old things), we take to be exaggerated. It is true, however, that Arkansians in the North are not much surprised at the news. In Louisiana there have been no outbreaks as yet, but the quarrelling in the Legislature is very bitter. The agent of the Associated Press in New Orleans ought to be turned out of his place for his stupid and unbusiness-like partiality, which is so plainly shown in his reports that the reader is never inclined to believe more than half he says; but we take it that he would hardly tell a direct falsehood in stating matters of fact. If he has told the truth in regard to the ousting of Jewell, on suborned testimony, politics will not long be unmixd with pistol-shooting in Louisiana. Governor Scott, in South Carolina, has felt compelled to issue a circular denouncing secret armed associations. He promises "to exercise all his authority to keep peace;" but his means of enforcing his authority are small enough.

For the rest, in North Carolina 70,000 men are enrolled in Union Leagues; but it is not Union Leagues that begin disturbances, and it would be well for the South if there were at least 70,000 members of such organizations in every State. North Carolina, by the way, the only State whose political future seems secure, has just found the advantage it is to her that the belief to that effect is generally held. She has been able to borrow a hundred thousand dollars that she wanted, at six per cent., a rate of interest obtainable by no other Southern State. Georgia is talking of unseating all the colored members in her Legislature. When the constitution was adopted, it was freely said that although it gave negroes the right to vote, it made them ineligible to office. We have not a copy of that instrument, but if its effect should be as stated, it would be not the first piece of Republican legislation so bunglingly put together as to defeat the purposes of its framers. Florida has had one or two riots within the last week.

General Rosecrans has paid a visit to the White Sulphur Springs, and had long consultations there with various Southern generals, including Lee and Beauregard, on the state of the country. They were closeted together by the hour, and it is recorded, by way of giving some idea of the importance of the occasion, that one general who was about to leave, on hearing that he was wanted, "at once ordered his trunks back to his room." Of what was said at these interviews we know nothing, except from a brief sketch of General Lee's views sent to the *Richmond Whig* by a correspondent; and from this we learn that the popular notion at the North that the Southerners do not like the negroes, and would ill-treat them if left in their hands, is a pure delusion; that, on the contrary, the Southerners, having been brought up with the negroes, are very fond of them and would freely concede to them as many rights and privileges as would be good for them, and more. General Rosecrans has returned to the North, carrying in his valise, according to popular rumor, an address from General Lee and others to the nation at large. But in reply to enquiries made of him here by a *Tribune* reporter, General Rosecrans says that there is no such document in existence; that there was "much said" at the interviews in which he took part at the Springs, and that he would let the public know what it was when he thought proper; that he did not know whether the Southern leaders would "devote themselves to the task of restoring prosperity or not;" that he had not "considered the question of the payment of the Government bonds;" and that he had not "the slightest idea" what were Grant's chances for election. On the whole,

we are inclined to believe that the meeting at the White Sulphur Springs will not exercise that powerful influence on the destiny of humanity which "Our Washington Correspondent" at first led us to expect.

The only fresh campaign story about Grant is that he stole a Shetland pony, which his son now rides, followed by two black grooms. This is the tale as Pomeroy tells it; but we cannot help feeling that he has suppressed a portion of it, and that if the whole of it were revealed, it would be found that the blacks are eunuchs, and force everybody they meet to lie down on his face on the side of the road till young Grant passes. About Blair, we have to record that after his expulsion from Yale he tried the University of North Carolina, from which he was also expelled; and it was after this that he made his appearance at Princeton and cut off the nose of a fellow-student. The way in which Colfax escapes the stories is something wonderful, and proves his popularity to be almost unprecedented. The only charge brought against him thus far is that of having, in order to pay attention to another visitor who sent in his card on a "silver waiter," snubbed a soldier who had asked for an interview. The soldier had been previously requested by a pampered menial to deposit his card on the same evidence of wanton luxury, but the veteran, not having his card-case about him, refused to comply, and the snobbish Colfax, disgusted with his vulgarity, haughtily refused to converse with him. This story Mr. Colfax disposed of by a peremptory denial, and added that he had never owned a "silver salver." Disheartened by the result of this first attempt, the party troubadours have ever since let him severely alone.

The *Chicago Tribune* is displeased with us for not marking, in our account of campaign stories, our appreciation of the essential difference between stories, such, for instance, as stories of Blair's drunkenness and stories of Grant's drunkenness—the former being true, and the latter false. Let us say, in the first place, that in every reference we have made to campaign stories in "The Week," we have noticed them simply as works of art, and not as instruments of persuasion. Of their utility we have not thought, and do not mean to think, in this place. We enjoy them, simply; to others we leave the task of analyzing them. If the *Tribune* chooses to take a cold utilitarian view of them, let it. We shall do nothing of the kind. Let us say, in the second place, however, that if, as instruments of persuasion, campaign stories do not count for much, one party is as much to blame as the other. The great reason why our stories of Blair's drunkenness do not produce much effect is, that some of us who now tell them told similar stories of Grant's drunkenness before he was nominated. Now, the public at large do not believe, as some newspapers appear to believe—we need not say we do not include the *Chicago Tribune* in the number—that it is in the power of a political convention to change the moral order of the universe, and make it all right to lie about one man, and all wrong to lie about another; so, having discovered that we lied about Grant, they are unwilling to believe that we tell the truth about Blair, and when we unpack our campaign stories, and bid the audience get their tears and their horror ready, they simply put on a broad grin.

Mr. Atkinson, of Boston, a week ago, demanded payment in specie for a ten-dollar greenback of Mr. Spinner, the United States Treasurer, who naturally declined to pay, and wrote the applicant a long letter instead, in which he excused the issue of greenbacks on the ground of necessity, but acknowledged that the necessity of not redeeming them in gold had ceased to exist; urged the opening of national banking to all who complied with the requirements of the law, and the issue of a new four per cent. loan both here and in Europe, to take the place of the present bonds, and to be deposited by the banks as security for the payment of their bills. Mr. Spinner treats the subject of resuming specie payments, as far as the Government is concerned, as one of will mainly, but we cannot help thinking that the supply of gold in the country has much to do with it, and that though it might be easy to begin paying in specie, it might not prove easy to keep on. But Mr. Spinner's letter is full of good sense and good feeling. We would rather, however, not hear him talk of lending money to the Government on patriotic or other sentimental grounds, because this gives the Butlers the idea that if they can show that a man lent money to the Government from

purely selfish motives, the cutting down of his interest or principal is no sin.

There has been a good deal of speech-making during the week, the ablest and most solid and most useful of the campaign, thus far, being Senator Wilson's at Bangor. He performed in it very successfully the very difficult feat of giving his readers a condensed history of the secession movement, throwing out into strong relief the connection of the Democratic party with it, and sketching the plans and purposes of the Southern leaders, in a series of very light but very graphic strokes. One does not often read a more artistic piece of oratory for campaign purposes. Moreover, it has the merit of reading very well, and may therefore be made to do good service in print. Mr. Wilson's recent book doubtless prepared him for the effort, but even with the materials in his brain, there are not many men who could put them together on the platform so skilfully. The oratory of the canvass in general has thus far not been remarkably effective. There is in all of it that we have seen a little feebleness and uncertainty, owing to the differences within the party ranks about the public debt, and the soreness left by impeachment, so that nobody blows his trumpet with the full power of his lungs. Some of the leading party papers, too, rarely mention such champions as Trumbull and Fessenden without a sneer or malediction, and with this remarkable piece of tactics couple the equally remarkable device of praising to the skies General Butler—the great repudiator of the party platform. Of course, the "bawlers" of the party are not discouraged by this sort of thing, but the really earnest men who contribute its bone and sinew, are not encouraged by it. Considering that impeachment is no longer a part of the party policy, and that the maintenance of the public credit is a very important part of it, we would respectfully recommend that, as a matter of expediency, the depraved and guilty Seven be now let alone, and the representative of the Fifth Massachusetts district be allowed to travel as much as possible on his own merits.

Our readers may remember that when Mr. Washburne made the charges of having changed his name, and being a fugitive from justice, against Mr. Ignatius Donnelly, which drew from this last-named gentleman his now celebrated outburst of blackguardism, there was a Congressional committee appointed to enquire into the truth of these charges. It reported, however, that since Mr. Donnelly's election to Congress it had detected no trace on his part either of a change of name or of a flight from the officers of the law, and that into his history before he became a member of the House it did not feel authorized to enquire. The matter then dropped, and from some expressions let fall by Mr. Donnelly we got the impression that he and Mr. Washburne had been reconciled. Since the Bingham-Butler reconciliation, we are, of course, prepared for any display of forgiveness on the part of Congressmen. It appears, however, that we were mistaken, and that the lofty natures of Messrs. Washburne and Donnelly are still rent by the old hates. Donnelly has just been treating his constituents to an account of his Congressional labors, which in many respects surpasses his famous Congressional speech, and reveals the same intense animosity to the Washburne family. This second effort makes Mr. Donnelly, beyond question, the champion ruffian of North America. If Brick Pomeroy is wise and enterprising, he will secure him as a "special contributor" for the *Democrat* at any price.

The difficulty the English liberals have—and will, we fear, continue to have for a long time to come—in acting with the Irish has just been well illustrated by the case of Mr. Mason Jones, who, though an Irishman by birth, has long been in political affiliation with the English radicals, and is a candidate for a seat in Parliament from Queen's County. But he is, like all English radicals, an opponent of the temporal power of the Pope, and a friend of Italian unity—so he has been summarily dismissed, the Italian question being a more vital one to the priests than any other question.

The women are going to make a determined effort to vote at the next election in England. The "National Society for Women's Suffrage" has issued a batch of instructions to claimants, accompanied by a form of claim. In several places women have already, through



accident, oversight, or peculiarities in local usage, succeeded in getting their names on the register, but the general question of the right of female rate-payers to vote under the act of 1867 remains to be determined, and it will probably be determined adversely. It seems pretty clear, judging from the list of candidates now before the public, that there will be no material change in the composition of the next House of Commons. The members will be largely the same as those of the last, and such new ones as come in will be drawn from the same classes. The *Economist*, whose political judgments are always amongst the soundest, urges, however, that though there may be no change in the *personnel* of the House, there will be a marked change in its spirit; that ever since the overthrow of the Confederacy, and the triumphant issue of the North from its troubles, the conviction has penetrated the minds of English politicians, deeper than mere argument could have driven it, that the burden of proof lies on those who are opposed to reforms, whereas, under the Palmerstonian régime, it rested on those who proposed them. Accordingly, the writer predicts sweeping legislative changes through the instrumentality of the very men who have hitherto preached rest and thankfulness. In connection with this prediction, the fact is worth attention that all the rising statesmen are men of the middle class, and that the aristocracy is for the first time in its history ceasing to produce a supply of first-class men for the leading positions in the government, the only aristocratic politician who can be said to be a competitor for the highest prizes being the Marquis of Huntington, who is, however, after all only a second-rate man.

The Trades Unionists have been meeting with rather rough treatment from the courts both here and in England during the last month. Eight bricklayers were convicted at White Plains, in this State, the other day, for conspiracy in refusing to allow one William Dawson to work at his trade, he not being a member of their Union. We spoke some time ago of the argument before the English Vice-Chancellor on an application for an injunction to restrain certain members of a trades union from issuing placards or other notices warning operatives not to work for a certain manufacturing company. The injunction has been granted. Since then a batch of masons have been convicted of conspiracy at Leeds, in England, for enticing or intimidating men into leaving the employment of a master builder against whom a strike was pending simply because he had his stones dressed at the quarry instead of carting them in the rough state six miles to the building, and thus seriously increasing the labor both of horses and men. All attempts on the part of workmen to increase the labor of production are offenses not only against their own class, but against civilization. If they have not sense enough to refrain from them, nobody can regret seeing them go to jail for committing them.

On the other hand, there are plenty of signs that the reign of folly and ignorance is coming, though slowly, to an end. Mr. Briggs, of the Briggs Colliery, of which we have so often spoken, has made another report, in which he speaks more warmly than ever of the success of his experiment of admitting workmen to a share in the profits. The "Free Labor Registration Society"—an association formed to assist men who wished to escape from the tyranny of the trades unions in getting employment—have made their first report, showing the result of six months' operations, from which it appears that they have obtained employment for upwards of 1,000 men in various trades. In what is called the "Black Country," in Warwickshire, a large population of nailers are reduced to the utmost misery, and the trade nearly destroyed, through a series of strikes. Four years ago the plate-lock makers at Wolverhampton, in the same region, finding themselves threatened by the masters with a reduction of wages, instead of striking, formed, with the assistance of John Stuart Mill and Tom Hughes, a co-operative association which has been perfectly successful, and is now likely to receive large reinforcements of members, owing to another threatened reduction in wages. In this city the eight-hour bricklayers are slowly going to the wall before the influx of non-union men from Canada and other places.

The *Lanterne* excitement continues in Paris. M. Rochefort has withdrawn, it is said, to Belgium in order to be able to continue

the publication of his paper, which the Government has not, under the new law, the power of suppressing arbitrarily, though it may seize particular issues. He has now two separate condemnations, with a separate sentence of fine and imprisonment attached to each, and it is not at all likely he will be able to show his face in France again under the present régime. His prodigious success, pecuniary as well as political, has produced a host of imitations of the *Lanterne*, all of them servile. Five of these little pamphlets now lie before us: *Le Lampion*, *La Chandellette*, *La Petite Lanterne*, *La Voileuse* (night-light), and *L'Eteignoir*, selling at various prices from five to two sous, and all attempting to treat the questions of the day in short paragraphs in the Rochefort manner, and all failing miserably. The lowest-priced one is coarse and indecent, and the others labored and dull.

Those who imagine that the Government will be restrained by the law, however, in its mode of putting down offenders against its peace and dignity, are likely to find themselves grievously mistaken. Meetings for the discussion of politics or any other subjects in private houses are allowed by law, if each person present comes with an invitation from the owner. Two "reunions" of this character were recently called by opposition candidates at Nîmes and Alais, and were at once pounced upon and dispersed by the police, in one case with the aid of the military and with great and unnecessary violence. The newspapers have remonstrated as warmly as they dare; but there is no legal remedy. Suits, either civil or criminal, cannot be instituted against any functionary, high or low, without the consent of the Government, and we need hardly say such suits are, therefore, unknown in France. The exasperation of the authorities is likely to be increased to the highest point by the triumph, by a large majority, in the Department of the Jura, of M. Grévy, the opposition candidate, whose election to the position of *bâtonnier* of the Paris bar we spoke of last week. This defeat has occurred, too, in a purely agricultural district, and is therefore alarming, as it shows that the peasantry are not so sound as was supposed.

The stories about the success of the new loan are somewhat conflicting. There has been every outward sign of great eagerness for it, the subscription-offices being adorned with large *queues*, stretching far into the street from morning till night, and the official papers say that thirty times the required amount (nearly \$100,000,000) has been subscribed for. The rule of subscription was that every person applying for a share in the loan should deposit with his application the amount of annual interest he expected to draw from his investment, and this, if the stories of the total amount of the subscriptions be true, would have swelled the deposits in the Bank of France by some \$120,000,000; whereas the balance, as published the day after the subscription-books were closed, only showed an increase of about \$5,000,000, which has led the ill-natured to hint that there is "a lie somewhere." But there is no doubt the loan has gone off successfully; the exact amount subscribed for, over and above the sum needed, is not a point of any importance.

Count Cambray-Digny has succeeded in carrying through the Italian Parliament a measure authorizing him to farm out to a company the monopoly of tobacco-selling and cigar-making, which the Italian, as well as the French, Government reserves to itself. The Italian Government has, however, produced such abominable cigars that the smokers are pleased with the transfer, feeling that it may better and cannot worsen their condition. In France, on the other hand, the assumption by the Government of the task of providing cigars for the French people has had such happy results that every smoker blesses it. The tobacco is selected by its agents with the greatest care, and the manufacture of the cigars is conducted at various points with extraordinary skill and elaboration. Every step in the process is the result of scientific experiments, performed day by day and week by week, by scientific men assigned specially to the work and highly paid for it, and all of them pupils of the *École Polytechnique*. Mr. Jenckes will be glad to hear that since the manufacture was placed in charge of the graduates of this institution, frauds and speculation have totally ceased. "Blood," it is said, "tells," but it does not "tell" as training does.

## THE VALUE OF SOUTHERN DECLARATIONS.

Two hundred "influential citizens" of Charleston, S. C., have held a meeting and issued an address to the white people of the district, informing them, in substance, that the blacks have come to the conclusion that true happiness for the negro can only be found in "the most degrading vassalage of the white citizens of the State," and are "fired with a sentiment of hostility to the white population of the city and State," and prophesying that, unless "timely averted, the purposes of wicked men will be accomplished in deadly strife, and in the streets of the city scenes will be enacted which all good men will deplore." The document is written in what, considering the season at which it appears, may perhaps be called campaign English, and it is therefore impossible to say what its value is, either as an expression of feeling or as a description of a state of things actually existing. The account it gives of the sufferings of the whites and of the bad conduct of the blacks may have some truth in it, but the reader is furnished with so little means of guessing how much truth that he is almost driven into refusing it all credence whatever as the only safe course. What adds to his difficulty is that the picture the paper draws of white sufferings makes the advice to the whites to be "patient" and do nothing violent, with which it winds up, sound very like the famous admonition to the mob, on no account to nail the ears of the sheriff's officer to the pump.

No matter to what Southern source one turns for information as to the real condition, moral as well as physical, of the South, one finds one's self plunged in the same perplexity. It is not simply that the language of Southern speeches and articles is inflated, but the propositions they contain are in such direct opposition to familiar facts of Southern history that one could not believe them, even if the language in which they are stated were never so simple and direct. For instance, we find in the report of General Rosecrans's interviews with General Lee at the White Sulphur Springs, published by the *Richmond Whig*, that "as to Southern animosity to the negro, nothing could be further from the fact, and why should there be? Said he, there is no rivalry between the races, but a reciprocal interest, growing out of the fact that each is dependent on the other to a great extent," etc., etc. Now, whether General Lee actually said this or no makes little difference for the purpose of our argument. Southern men of his class are constantly saying it, and the newspapers keep repeating it, and it is such a clear evasion of the real question that, hearing it so often, one is almost driven to the conclusion that discussion with Southern men is useless, and that wild abuse of them, such as the Hunnicuts and Underwoods indulge in, is as good a way of dealing with them as any.

They are not enemies of the negro, it is true, provided the negro accepts their theory of his rightful condition. But looking at enmity in this way, it may be said with equal truth that nobody has any enemies. All any man has to do, in order to put an end to all hostility to him, is to accept the conclusions of those who do not like him as to the place he ought to occupy in society. A proud man, for instance, is disliked because he thinks he is superior to his neighbors, and lets it be known that he thinks it; but if he became very humble in his manner, and acted every day as if he was the inferior of everybody he met, his former enemies would soon get to love him, or at least cease to hate him. A close rich man is disliked, because people think he has acquired his wealth in an improper manner, and that the generous and kind-hearted would have his money if justice were done; so all he has to do to make everybody his friend is to divide his possessions amongst his neighbors, and leave himself poor and mean, as people think he deserves to be.

This same difficulty is at the bottom of most national antipathies. If Americans would frankly accept the English view of the American character, and of the part which Americans ought to play in the world, the English would like the Americans very much; or if the English could be got to see themselves as the Americans see them, warmer friends than the two nations would not be found on earth. So, also, the long-standing hatred between France and England has been due simply to the resolute refusal of each nation to adopt the other's view of its character, capacity, and rights. Cases of hatred, flowing from pure devilishness of disposition, are almost unknown in civilized life. So that when the Southerner tells us that he is the friend of the

black man, he simply means that he is the friend of the black man as long as the black man remains in what he considers his proper place—that of the member of an inferior race, who is, for the benefit of his superiors, to be restrained and prevented from exerting all his faculties. In other words, the assertion is a mere quibble, and does not forward the discussion in the least.

The war arose out of the fact that the North and South held two widely different theories of society and government, and the existing strife and confusion is kept up by the fact that the South refuses to accept and apply the Northern theory as to the result of its defeat in the field; and yet in nearly everything the Southern press and orators say about their aims and intentions this fact is kept out of sight. The North finding, at the close of the war, that the South was unwilling to accept its social theory, applied the screw in the shape of negro enfranchisement and partial white disfranchisement. Now, this might be called, as the Southerners do call it, "reducing the Southern whites to 'vassalage,'" if it were done deliberately for the purpose of permanently degrading the whites; but it is done for precisely the same reason that cannon was used against the Southern armies in the war—to make them submit to the will of the stronger. To call it "vassalage," under these circumstances, is simply silly.

What we want from Southern orators and statesmen is a declaration of their feelings and intentions in language used in the same sense as that in which we use it. For instance, we want to know, from General Lee and others, not whether they are friends of the negro seen from their point of view, but are they his friends seen from our point of view? Are they willing to take him not as a black, but as an ignorant man of mercurial temperament, and lay aside, for the purposes of legislation, all their old theories as to his origin and destiny? To these questions no Southerner of prominence has, to our knowledge, ever given a definite answer. No Southern paper ever touches them in discussion. We are left to find out which theory most Southerners entertain, incidentally, by watching their conduct to the negro and listening to their talk amongst themselves about him. Everything we learn in this way makes it all but certain that the mass of the Southern people have not adopted—and will not, if they can help it, adopt—the Northern theory of society; and that their fair talk to us is due simply to their practice of using words in a sense of their own, differing from ours. Now, if they will say frankly, "Your social and political theory we will never adopt," they would not only do a manly thing, but would do much to clear the public mind on both sides of the line. Instead of this, they pretend to adopt it by a kind of equivocation.

What we know of the nature of the Southern view of the negro's place in society we learn not from the speeches of the Lees and Stephens and Beauregards, but from the practice of the mass of the community, and the state papers of the governors and other public men; from the black codes of many of the States after the war; and from the actual legislation of Kentucky, which, not having been touched by the reconstruction process, gives us an idea of what would be done all over the South were it not for Radical intermeddling. There the negro is literally an outlaw, is dependent for life and limb on the humanity of any ruffian whom he chances to meet—his evidence against white men not being received in the courts, or, at all events, counting for nothing if it is received. Evidence of this kind, not being prepared, is worth volumes of addresses and conversations with distinguished Southern statesmen. There are, of course, the same things to be said against negro suffrage that are to be said against all voting on the part of ignorant men; but when you have said this you have not finished the argument. You have still to show how it would fare with the ignorant man if he were deprived of the right of voting. In highly civilized and highly organized communities like New and Old England, or France and Germany, where respect for life and property has become a habit of the popular mind, and where the law is executed with certainty and despatch, a non-electer may, and does, enjoy security and comfort. He does not impress his opinions or wishes on the policy of the state, but he is sure of justice in the courts and of the aid of the police against his enemies. He is not asked to rely on the pity, or even on the kindly feeling, of his neighbors for protection.



Now, no honest Southern man will pretend that the negro at the South will find the same justice and the same protection if left entirely in the hands of the Southern people that poor white men do. There is a prejudice against him at the South; there is contempt for him; and there is also a habit of showing prejudice and contempt by acts of violence which the courts are not ready to punish. On these points we do not need General Lee's opinion. We have the facts before us every day in the newspapers; and what we want to know of General Lee is not whether he loves the negro and wants peace, but whether he is willing to submit to the conditions imposed by the conquering party in the late war—one of which is the acceptance and embodiment in the law and practice of the land of the Northern theory of society and government.

#### THE "NECESSITY" OF THE LEGAL TENDER ACT.

THE New York *Times* commented at some length on Monday last on our recent attempt to forecast the decision of the Supreme Court on the constitutionality of the Legal Tender Act. We must remind the *Times* that we have not argued the case, or tried to show what, as a matter of law, the court ought to decide. We have simply expressed an opinion as to what the decision of the court will be, and have endeavored to point out the probable effects of that decision on the business of the country. The *Times* does not, it is true, profess to answer us; but we may say that, had it done so, the only proper answer would have been the production of some special reason for believing that the court will decide differently from what we have predicted.

The *Times*, however, does give reasons for thinking that the court ought to sustain the law; but they will not, in our opinion, bear examination. It does not base the Legal Tender Act on the power to coin money, but simply on the necessity of the measure as a means of carrying on the war. Now, not only the Legal Tender Act, but anything whatever that Congress chose to do, might be justified under this construction. In other words, the argument is too strong. Congress being the sole judge of what is necessary for the defence of the national existence, it might wipe out at one blow all private debts, or, on this theory, send half the males to the field to fight, and put the other half to work under the lash to raise supplies. Such a measure might be justified on high grounds of necessity; but a court of law interpreting a constitution would not take cognizance of necessity of this kind.

The clause of the Constitution authorizing Congress to make "all laws necessary and proper" for carrying its powers into effect undoubtedly points to such measures as are not inconsistent with other parts of the Constitution, and which, in time of war for instance, will be *proximately* useful in the prosecution of the war. The obliteration of the governments of all loyal States might be remotely serviceable in the prosecution of hostilities, but no court would pronounce it "necessary" under the Constitution. Moreover, the Supreme Court has decided unanimously, in the Milligan case, that there are limits to constitutional necessity, by declaring that the President has no power to try men before military commissions in peaceful States, and a majority of the court, in an *obiter dictum*, declared that Congress did not possess this power either, while the minority claimed no such omnipotence for Congress as the *Times* does.

The argument of the *Times*, drawn from the probable consequences of the refusal of the Government to issue legal tender paper, if it proves anything, proves that in the absence of legal tender paper the war could not have been carried on without much greater popular discontent than it excited; but it does not prove or tend to prove that the war could not have been carried on at all without legal tender paper. The question was how much the people would bear. If the Government erred in thinking the people would not bear the struggle without paper money, we certainly have no right to find fault with it, because our wisdom comes after the event. But even if it was right on grounds of naked expediency in doing what it did at that time, it does not follow that we are right now in still adhering to its policy. It would be easy to produce several good reasons for believing that, had the Government issued its notes without making them legal tenders, their purchasing power would, on the average, have been as great as that of the greenbacks. We are not, let us repeat, blaming the

Government for what it did. In judging it, we must not look at the problem it had to solve from the stand-point of September, 1868, but from that of September, 1861. We simply say that the constitutional "necessity" of the Legal Tender Act is not provable.

The main question in this controversy is, however, after all, Has not the Constitution prohibited the issue of paper money as legal tender? On this point, the argument of Judge Denio, in the New York Court of Appeals (1863), is to our mind unanswerable, and has not been answered. The gist of it is, that the control of private contracts is by the Constitution reserved to the States, and that they being prohibited from issuing paper money as a legal tender in payment of debts, there exists no power anywhere to do so. It is quite certain that the framers of the Constitution believed they had put a veto on paper legal tenders; and it is hardly likely they were mistaken. We do not know to what passage of Bowen's "Political Economy" it is that the *Times* refers when it says that he "declares that paper is the currency of all severe wars." But we must remind the *Times* that all he can correctly say on the subject is that paper has been the currency of some severe wars. If he has anywhere said more than this, he has fallen into a grievous error. Many very severe wars have been carried on with little currency of any kind, and that little metallic. Moreover, he knows of no case in which paper money was issued in a severe war by a government fighting under a written constitution, or existing in virtue of it. The kind of currency with which a war is carried on depends on the strength of the government, on its credit, its unscrupulousness, or the amount of popular confidence in it.

Political "necessity" means, of course, the highest public interest; and if this was a valid reason in 1861, in the eyes of a lawyer, for the issue of legal tender paper, it is now an equally valid reason for declaring paper to be no longer a legal tender. No matter on what plea you issue legal tender paper, the nature of the operation remains the same. It is essentially both a forced loan and an interference with contracts between individuals. The forced loan has been submitted to and its consequences are no longer perceptible. But the interference of Government with the obligation of contracts, and with the value of private property, continues as long as paper continues a legal tender. The value of every man's property, and the amount of his debts, may at present, as one of the effects of the Legal Tender Act, be altered arbitrarily and suddenly from day to day, every time a Cobb or a Butler can get forty or fifty demagogues to join him in an assault on the public credit, or every time a Banks or a Chandler chooses to meet the world in arms. If necessity, therefore, is now a valid consideration for either judge or statesman in regulating the currency, the greatest necessity of the day is that this thing should cease.

It is now more than three years since the war ended. We have been reducing our debt, buying territory, building railroads, sending holiday fleets to Europe, and living in luxury, but all attempts to get rid of the incubus of this inconvertible currency have failed. Nothing—absolutely nothing—has been done to remove this great national curse. Nay, to cap the climax, we are now, in the fourth year of peace, called on to discuss propositions to issue an unlimited quantity of it, and we find that it has exercised so injurious an influence on the popular imagination that there has been no difficulty in inducing a vast body of persons to approve of an attempt to use it in the perpetration of a gigantic swindle. When things have reached this pass, we may fairly say that necessity calls for a sharp and decisive remedy. We ourselves are, we confess, losing patience; we are ready to have any knife, be it that of Congress or of the courts, thrust into the tumor. It will certainly be a very painful operation, and will cause much suffering, but we shall enjoy good health afterwards. But we would not be misunderstood. We are not opposed to paper money, and especially not to Government paper money, but we want a paper money whose volume shall depend on the wants of the business community, and not on the votes of politicians.

#### GENERAL BUTLER.

GENERAL BUTLER is just now a candidate for re-election to Congress from a Massachusetts district. There is a good deal of opposition to his nomination amongst very good Republicans on various grounds,

some personal and some political, and it has accordingly been felt necessary by several papers to undertake a more outspoken vindication of him than they have hitherto ventured upon or have felt to be necessary, and there are indications that he himself feels at present somewhat more strongly than usual the desirableness of standing well with the conscientious and scrupulous portion of the community. The mere fact that he is trying to get a Republican nomination in a State like Massachusetts is and ought to be considered an appeal to the moral and religious public to stamp his career with approval; and this being the case, his career becomes at once a legitimate subject for criticism. We propose to state, as fairly as we can—nothing extenuating, and setting down naught in malice—what, in our opinion, are the points which, in offering himself for re-election to Congress, he presents for the public judgment; and we consider the task all the more necessary, because every defence of him which has appeared studiously avoids meeting the real difficulties of his case, and treats the outcry against him as if it came from Secessionists and Democrats only, and were excited simply by his vigorous and peremptory, but otherwise legitimate and proper discharge of political duties. But this theory of the cause of his unpopularity will not hold water. The odium which surrounds his name, whether deserved or undeserved, is not confined to Secessionists or Democrats, or to any section of the United States, or to any particular party or class. We have seen many defences of him, both in the press and on the stump, but we have not yet met with a single Republican who spoke well of him privately, and we have tried the experiment in cases which close political sympathy, and even co-operation with him, made almost crucial. Moreover, although he has been harsh to the South, he has not been half as harsh as many other generals, whose names, whether at the South or North, are rarely mentioned by calm and intelligent men without praise. He inflicted no defeats on it, as Grant did; ravaged none of it, as Sheridan and Sherman did; and though he hanged a Southern blackguard, he did, in this, no more than nor as much as General Dix.

Nor will it do to ascribe his unpopularity to the severity of his administration at New Orleans. We have met, we might almost say, hundreds of good and wise men who admired and approved of *that* who neither admire nor approve of him. There is not the shadow of a doubt that any French, English, or Prussian general would, in Butler's place, not only have hanged Mumford, but half a dozen Mumfords. It was a righteous deed well done. Moreover, the order about the women was an ingenious, a merciful, and perfectly proper way of dealing with a disgusting nuisance. It was a device on which any foreign general would have been glad to hit; compared to the flogging of Madame de Maderspach, for instance, which did not exclude Haynau from the best circles in Europe, it was humane and civilized. And it justified itself, because it produced the desired effect without injury to anybody in mind, body, or reputation, and this is the best possible test of the value of penal legislation. The outcry raised against it at the time by the English and a portion of the Northern press was simply the product of the frenzy in which all things Northern were at the time judged. We hold, too, and we feel sure the enlightened public of every country holds that, in the main features of his rule at New Orleans, General Butler rendered a great service to civilization, because he afforded the world the now rare but always strengthening and edifying spectacle of force successfully employed in the diffusion of law, order, and health amongst a community demoralized and well-nigh ruined by its own vices. There could not have been a better place selected than New Orleans to show the ruffians of the continent that society was still too much for them, even in a trial of brute strength, and if General Butler was not the best man to select for the conduct of the experiment, it must be admitted that nobody could have performed it better.

Having said this, however, we have said all that an honest man can say in praise of his administration. The praise bestowed on him by the *Tribune*, of having paid all the expenses of the occupation of the city out of the pockets of the rebels, is not praise which the public of a Christian country can bestow till it knows how he levied the money. A Roman proconsul might have put this forward as a title to the applause of the senate or forum; but this government is not

founded and administered on the same principles or with the same object as the Roman government. Therefore, when a general comes before us and says, "Your armies under my command have cost you nothing; they have lived on the enemy; I have a handsome balance still left to your credit," we have still to enquire whether, supposing the levying of the contribution to have been just under the laws of war, it was collected by clean hands and on equitable principles—whether, in the levying of it, pains were taken to avoid the gratification of personal greed, malignity, and cruelty. On this point no clear and satisfactory evidence has ever been offered to the public by General Butler or any of his friends. We put Mr. Parton's "Life" of him aside, inasmuch as the circumstances under which it was written, the tone of it, and Mr. Parton's apparent want of familiarity with the nature and force of proof, give it no claim to consideration as anything better than a eulogy. An official report on General Butler's administration was made to the Government by competent lawyers, but it never saw the light. He himself ought to have clamored for its publication. He has never done so, in spite of the incessant and shocking charges made against him.

The present writer has had occasion to make enquiries on several occasions as to the truth of some of these charges, and he made these enquiries of persons whose official relations with General Butler were such as to give them ample opportunities of detecting anything like peculation or pecuniary malfeasance on his part. We are bound to say that we never lighted on the slightest trace of proof against him personally and directly. We believe, therefore, the charges of "theft" so freely made against him to be unfounded. We do not believe, either, that they have made any impression on the mind of any candid man. But, on the other hand, numerous competent witnesses testify that his brother was in New Orleans during the greater part of his administration; that this brother was a man whose antecedents and character were bad; and that he did use, night and day, the facilities which his relationship and constant intercourse with the commanding general gave him to perpetrate various frauds and jobs and violations of regulations for his own private benefit; and that in the doing of these things he accumulated a large fortune, which, at his death, he bequeathed to the general. What the public refuses to believe about this is, that so shrewd an observer as the general did not know what the brother was about; and what disgusts it is, that he should not have sent him out of the department, at least when his performances began to create scandal. A man of the nicest sense of honor would, of course, not have waited for the scandal.

What aggravates the unfavorable impression left by the New Orleans episode in General Butler's career is his reputation at the bar before the war broke out. Whether justly or unjustly acquired, it was that of an unscrupulous practitioner. His professional brethren and the public of his own State certainly had no reason to doubt his ability. They say they had every reason to doubt the delicacy of his moral fibre. His military career did nothing, unfortunately, to upset the unfavorable presumption thus created. The qualities he displayed from the day he began to raise troops till the day he left the service were those which everybody knew he possessed—quickness, vigor, determination, courage of a certain sort, acuteness, and readiness; but he did nothing to prove that people had been mistaken about his moral constitution. His most famous stroke, the application of the term "contraband" to runaway slaves, was, curiously enough, simply a cunning device for getting rid of the real difficulty by the dexterous perversion of a legal term. He had hardly arrived at Fortress Monroe, too, when he began to disorganize the medical service of the hospitals by his favoritism, until the Sanitary Commission had to apply to the President to put a stop to it.

Moreover, he has, during his two years' service in Congress, done nothing to rehabilitate himself. He became the leading champion of impeachment, which was a perfectly legitimate vocation; but he brought arts and manners to the conduct of the process which had disgusted the refined and intelligent and conscientious portion of the community with it before it was half over. The investigation, too, into the alleged corruption of the senators with which he charged himself, was really an exhibition of great contempt, not only for juridical principles, but



for common decency. We know some newspapers pretend not to believe this, but no intelligent man denies it in a private room. Curiously enough, too, as every observer of Congressional proceedings will have noticed, whenever he has taken an active part in the work of legislation, it has never been for the furtherance or support of any great reform, but invariably for the execution of some sharp scheme of doubtful morality, for somebody's detriment or annoyance.

In the meantime, the charges of personal dishonesty against him grow louder; the number of persons who are convinced of his want of principle grows larger; his evil fame has overspread the civilized world—the burden of the odium which rests on him increasing as it is diffused. Any other man, we suppose we might say, would long ago have been killed by it. He ought to have been killed by it, or have met the charges against him and refuted them. He has no right to say that he does not care for them. There are only two cases in which a man has a right to show indifference to his personal reputation in the community in which he lives. One is, when his standard of morality differs from that of the community, as in the case of a civilized man living amongst barbarians; the other is when, although innocent, he is deprived by circumstances of the means of proving his innocence. In the first of these cases, even a good man need not care; in the second, he may be careless if he can. But as long as the world believes a man infamous, and he has the means of showing that he is not, he owes it not only to his Creator, but to the highest interests of the society in which he lives, to give himself no rest till he has vindicated himself. The man who, with the means of vindication within his reach, refuses to use them, and not only sits down in hardened indifference to the opinion of his fellows, but asks them to clothe him with official rank, is a moral monster.

General Butler ought never to have sought office or any position of prominence, after leaving the army, without bringing his accusers either before a court of enquiry or a court of law. He has steadily refused or neglected to do so, and is now trying to make slipshod paragraphs in party newspapers do the work of the solemn judgment of a properly constituted tribunal. But this will not or ought not to succeed. The countenance which his indifference to his reputation receives from many good men is a startling proof of the relaxed state of public opinion in some quarters; his re-election by a Massachusetts district, of all places in the world, would be a real public calamity.

#### A WORD WITH PROSPECTIVE AMBASSADORS.

WHILE the whole subject of the Civil Service is now attracting public attention, if the Diplomatic Service has attracted less than other branches it is not because it is less important, but because it is more out of sight. But though not much talked of at this moment, it is in reality the subject of serious consideration to a very large body of gentlemen who are taking part in the canvass either on the stump or in the newspapers, and who expect to be rewarded with "missions" or consulships. For their benefit we make the following observations, which are the results of some knowledge of our legations abroad, of much conversation upon the subject with intelligent Americans who have travelled extensively in Europe, and of a comparison between our diplomatic service and that of other nations. We need hardly say that they touch the system and its organization, and not upon the gentlemen now employed in it, who, it is generally admitted, are above the average of the quarter of a century preceding the advent of Mr. Lincoln's administration. Indeed, the words system and organization are misnomers when applied to a service conducted as ours is, and it is wonderful—perhaps the only thing to be said in its favor—that its results have not compelled a reformation of it long since.

To begin with the appointments. There is no branch of the American civil service to which the American system of appointments is less adapted or to which it is more injurious. In this case the degrading and demoralizing doctrine, "To the victors belong the spoils," is not really so bad as the attendant and inveterate practice of distributing the spoils for supposed partisan services, and according to supposed "claims" of persons and localities, with little or no regard to qualifications. Other governments make diplomacy a profession, a career—with good behavior, a life office—just as we do of the regular navy, the regular army, and the judiciary.

In this practice other governments have been sustained by experience; and it is curious and instructive that the idea of making diplomacy a permanent career originated about the same time that the idea was abandoned

that the biggest knave and the shrewdest liar was the best diplomat; and it becomes firmer established the more diplomacy ceases to be a mere trick and becomes a veritable business. And when we consider the vast and varied acquirements needed to make a man a really good diplomat—law, languages, history, especially of negotiations and treaties, the interrelations of the modern family of states; and those smaller, but very useful, qualities and accomplishments that give a man personal influence in society (personal influence being a tremendous diplomatic as well as political power)—we shall perceive the reasons why other nations require a man to have certain qualifications to begin the career in its lowest grades, as attaché or unpaid secretary; and why, having found a man fit for it, they keep him in it, instead of turning him out about the time he has learned his business to put in another new man, destined to go through the same process of learning and being turned out.

Appointments should be much more carefully made. No man should be appointed merely because he is "strongly recommended," as those who recommend often do not know, and seldom take the trouble to enquire, what qualities are needed in the positions for which they recommend those who have been zealous, perhaps useful, in local politics. If the applicant has seen diplomatic service, so much the better; if not, he should know the world and society as well as he conveniently may without foreign travel. The more foreign languages he knows, the better for him and his government, but he should be required to know French. We would not require that he should speak it in Parisian style, but that he should be able to express himself intelligibly in conversation; would not require that he should write it with critical accuracy, but that he should read it with ease to himself and translate it with promptness and accuracy for his government. Then when he receives an official communication in that language from the government to which he stands accredited, he will not have to take some unknown foreigner into his confidence and service to translate for him. Once let it be known that a man has to do this, and his correspondence is at the command of any government which deems it worth paying for. It is believed that ours is the only diplomatic service in which this has ever happened; and it has happened, in times past, oftener than would bear telling.

He should be a good lawyer; especially should he know international law, maritime law, the rights of legations, the laws of war, the whole system of sea law, embracing blockade and prize law, and should show a reasonable acquaintance with the great negotiations, congresses, and treaties from Westphalia down. Much of the learning on these subjects cannot be found, so far as the writer knows, in the English language.

Being in office, his course in politics ought to be conformed in some degree to a correct standard of judicial-political propriety, *not* modelled or measured after the Chase pattern. He should neither be required to renounce the interest or the freedom of a free citizen of a free republic, nor encouraged to be constantly fidgetting his political "views" and his "position" before the public. He should be encouraged to hope for permanence in office, and for promotion in the service, just in proportion as his own discharge of duty is able, skilful, and faithful, considered in connection with his present grade and the length of past service. He should have removed from his contemplation the degrading spectacle of a basketful of bloody heads rushing at him for his own at every turn and whiff of the political breeze. It either makes him a coward and a time-server or renders him stolidly indifferent to the discharge of duty. What incitement has a man so situated to the close study of the politics, the manners, the commercial interests, the political growths, the alliances, and the national animosities of the people among whom he lives, and for making clear and compact statements of these in his despatches to his own Government?

He ought either to have a larger annual salary or to have both an outfit and an infit. It may be stated, as a general rule, that American diplomats either do not live and move and socially reciprocate as would be advantageous to their Government, or, if they do, they lose money at it. The British diplomat has an outfit to begin with, which the American has not; he has an outfit every time he is changed to another post, which the American has not—indeed, the latter is seldom changed except when unceremoniously jerked home; he has an infit when he retires, which the American has not; after a certain length of service and permanent retirement he has a pension, which the American does not ask for; while in office he has from two to four times the help to do the work of the legation, and he has the reward of promotion constantly held up to him, which the American has not. These are very great advantages. When to these we add that while in office his annual pay is about three times as large as that of his American colleague, and his grade of office always higher, we can estimate the pecuniary difference between the two positions

The French and Russians are but little behind the English, while the Prussians, Austrians, and much smaller powers are far in advance of the Americans. There is no question of pride in the case, and the question of justice to our diplomats is a minor consideration. The question is, Which system will command the best services, and give us the greatest influence in those quarters where we often sadly need it?

An American diplomat is under the necessity either of staying out of society, which would injure both himself and his Government, or of constantly accepting hospitalities with no power to reciprocate them. So far from the present scale of pay being in harmony with our institutions, it is directly the contrary, because it either weakens that branch of the public service, while the natural and healthful tendency of democracy is to invigorate the whole public administration, or it practically attaches a property qualification to the office by driving competent poor men out of it. The notion—that living is much cheaper in Europe than in the United States is either an exploded error or—what is more probable—emigration, steam, commerce, and political emancipation in Europe have brought the two continents very nearly to a level, though the tradition of the former difference survives this change. Without considering the disadvantage of breaking up a man's business at home, the cost of moving his family to Europe and getting properly established is immense. One minister, it is known to the writer, declares that he fared much better at Washington on \$3,000 per year and mileage, with greenbacks at 140 to 280, than he does in diplomacy on nearly twice the amount paid, as it is, in gold. An instructive anecdote is told of another, who gets \$12,000 a year, that as a senator he had been the quickest and the most determined in opposition to all motions for putting our diplomatic service on an equal footing with that of other nations, while as a minister he was the first and most earnest to complain that he could not live on his salary. This is not repeated here for any purpose of reflection or ridicule, but for exactly the opposite purpose. It is mentioned to show the justice of his present complaint, and the little care that is taken to understand the matter at Washington.

All the great powers—England, France, Russia, Prussia, Austria—understand the elements and means of diplomatic influence, and it is no disparagement of our representatives abroad to admit that they usually beat us in every court in Europe. If we beat them with the republics of this hemisphere, it is our institutions rather than the efficient organization of our diplomacy which gives us the predominance here. In Europe we not only lack the influence of our institutions, but they are in some degree a weight we have to carry. After all that is said about progress, liberalism, and the nineteenth century (to say nothing of the uniform "distinguished consideration" met with in diplomacy), the practical business truth is that there is no predisposing political love for us in the political and official atmosphere of Europe. There our diplomatic representatives are looked upon not exactly as interlopers, but as having no "carrière;" as being clever, possibly great men, but as having little or no professional standing; as being temporarily installed into the service under the execrable spoils theory, the fleeting representative of a system of politics at best not popular with those over whom we seek to have an influence. Who cares what he says, even in matters affecting the interests of his own government, whom the next elections at home, turning on questions he never discusses, and which nobody in Europe cares for or understands, may prove to have been wholly unworthy of confidence or respect—only fit to be recalled at the earliest possible moment after the outs have become the ins?

When distinguished Americans, of world-wide reputation—statesmen, military and naval officers, authors, savans—visit Europe, they would return with an increased capacity for the public service if, while abroad, they had seen something of the inner social, intellectual, political, official, literary, and scientific life of that little continent which, from the budding of the Greek mind to the landing on Plymouth Rock, was the seat of the world's brains. Murray's and Harper's guide-books (very good in their place) do not introduce Americans or show them the road to this great study. Fussy, chattering guides, couriers, and hotel commissioners will show the finest galleries, the oldest churches, the biggest battle-grounds, the most splendid streets, etc., etc.; but they cannot show a studious American what is most valuable—they cannot show him living Europe. To nine of ten Americans the legation is the only access. But they find their minister unable—peculiarly unable—to bring them in contact with foreigners of their own calibre and standing in the usual and useful way of doing such things; and they even find him a little sensitive about presenting them to such, because he cannot possibly reciprocate the attention that would be certain to be shown them. The ready answer to all this is, that it is not democratic—it is not plain republicanism. We have our institutions and our ideas, and our manners and our official salaries must conform

themselves to these. Certainly, if we can only agree about it. Democracy needs to be intelligent to be successful. Once successful, it makes more powerful men and more powerful nations than any other system. Democracy elevates the masses, and those masses should demand that, while they are so far in advance of the masses of other nations, their chosen servants and representatives should be placed on a par with those of other systems. This is the social-political view of the matter. The business-political view is that diplomacy—the whole theory of diplomatic representation—is receiving the impress of the age, is being reduced very much to a business affair. Then, to pay, it must succeed. But our republican ideas are not the ideas of all the world yet; we do not advance them by officially and officiously parading them; and it is a mistake to suppose that a meanly-kept legation is the way to convert the world.

The material truth here is, that under all political forms "human nature is the same;" and David Crockett, a prince of a fellow in his way, once said that there was a good deal of human nature in man. Then the true idea at the bottom of the whole matter is neither royalty, nor aristocracy, nor republican plainness. It is human nature the world over to have respect for and to be influenced by good manners, cultivation, social parts, and a gentlemanly dispensation of an intellectual hospitality. There is no country in the world where this is better understood or more practised than in the United States. And yet a people which understands life and human nature quite as well as any other, and at home bestows its hospitality more lavishly than any other, and with all this believes in its democracy and is justly proud of its democracy, will send ministers resident to courts where third and fourth-rate monarchies send their envoys extraordinary and ministers plenipotentiary—is content that its diplomats shall live on mean streets and in third-rate houses, keeps them on a scale of pay that was fixed when living in Europe cost about one-half what it does now, and will have them walk when others ride, or ride in greasy street-cabs when others ride in their own carriages. The Government, properly enough, if it would only be consistent, enjoins upon them the duty and advantage of being on good social relations with their colleagues of the diplomatic corps, and with the chief persons and officials of the government to which they stand accredited (which, in plain English, means to eat their salt and drink their wine), and yet does not enable them ever to employ, from our own side, such undoubted means of influence and information without stopping to count how big a hole each dinner will knock out of their private estates. All this is done in the name of republicanism, democracy, and economy. It is a reproach and an injury to all three.

"Oh, yes! I see. U. S. legations are to be made U. S. hôtels, where insolent European aristocrats and rich American flunkies and snobs travelling abroad are to meet and drink champagne and eat venison at the expense of the U. S. Government. That's it. I see. Certainly very nice—for some people."

Perhaps you do see it. But we think you do not. On the contrary, we think the remark, besides showing your vulgarity and ill-nature, shows that you don't understand the subject, and that no argument would do you any good. This is, perhaps, a little blunt; but then—it was intended to be so. If there are candid, well-informed people who doubt the policy here advocated, let Congress or the Department of State prepare a suitable schedule of questions about the American diplomatic service to be submitted for answers by an officer of the New York Custom House to the numerous Americans returning from a tour through Europe during the months of autumn—at least to all who know the difference between a minister and a guide; all who, abroad, know the difference between hurried, eye-strained sight-seeing and intelligent travelling; to all who, at home, know the difference between coarse epithets and enlightened democracy—and the answers will surely result in a thorough reform of our diplomatic system. But such a commission must not be expected to convince "war-horse" politicians, or those newspapers whose daily employment is to illustrate what Bentham once called "bawling on paper."

## Correspondence.

### THE BALLOT AS A PANACEA.

TO THE EDITOR OF THE NATION:

With your permission, I desire to take serious exception to the second editorial article in your impression of the 27th inst. You approve of the action of the Alabama Legislature, because you think there are good grounds to fear that any popular election in that State next fall will be a farce, and that voters of the majority, being in fear of their lives, will submit to a minority threatening violence. Now, it strikes me that if this



is true, it is a good reason for abolishing the Republican party. When that party first proposed to confer the suffrage on the freedmen, the grave objections which could with justice be urged against so sweeping a project admitted of but one sufficient answer—the answer which embodies the creed of the English and I hope, of the American Liberals. The burden of our side of the argument has been, that if you give a man the right to elect his rulers, you give him all the protection which he can demand from the state, and that everything else is in his own hands. We have maintained over and over again, and no one has done so more frequently or more clearly than Mr. Wendell Phillips, that there was no necessity for educating the colored man before transforming him into a voter, because when a man is once a voter it is the interest of the whole community to give him an education and every other advantage which he can desire, and because rival parties would outbid each other in the inducements which they would offer to the newly enfranchised. And although men of intelligence and moderation never pretended to suppose that the suffrage in itself was a panacea for all political and social ills, they did suppose that it was a sufficient bulwark against the aggressions of the late Southern oligarchies, more especially in those States in which the colored voters largely preponderate. But now comes the most conscientious and candid Republican journal and complains that these new voters, who are in the proportion of at least two to one, are afraid to vote; are afraid to go to the polls; and, what is most extraordinary, that the *disfranchised citizens* are going to decide the elections. It would appear, then, that it is not enough to give the negro the ballot; after giving him that you must give him also a U. S. marine, or perhaps a corporal's guard, to go with him to the polls. If that is so, Mr. Editor, if the majority is afraid of the minority, why should not the minority rule? The great problem which has engrossed all writers on popular governments has been how to protect the minority against encroachments on its rights by the majority. To this end are framed the rules of parliamentary debate, to this end Mr. Hare wrote a thick book, and Mr. Dudley Field petitioned the late Constitutional Convention; but it seems that in the Southern States the conditions of the problem are reversed, and it is the majority that requires to be protected against the minority.

My second objection is that you defend a questionable measure because good consequences are likely to flow from it. A legislature confers powers on itself which it did not possess when it was elected. Can any measure be more subversive? Can any precedent be more dangerous? Can any consideration justify such a reckless proceeding? The leaders of the Republican party seem to forget that the time may come when that party may be under a cloud, as it has been, and when the tactics which it has invented and sanctioned may be turned against itself. They seem to have no faith in their own doctrines, for as soon as they meet with an obstacle, they turn back and look for some new road to victory, instead of fighting it out on that line. Hence all their temporary expedients, which partially drive away one scarecrow, and at the same time conjure up a half-dozen new ones.

In my humble opinion, Governor Smith has shown himself the superior of this class of politicians, and has given evidence that he possesses foresight, judgment, and *principle*.

Yours respectfully,

A. T.

NEW YORK, Aug. 30, 1868.

[We have never believed or argued that the ballot would at once furnish the negro all the protection he needs. On the contrary, we have filled pages with attempts to show that it would not do so, and that the first requisite of Southern society was the maintenance of order until the dominant race had acquired the *habit* of submission to the law. The ballot does not immediately make a man either learned, virtuous, or bullet-proof; but neither does education. It would be just as sensible, however, to withhold it for this reason from the weak, as to close the school-houses against the ignorant. Moreover, the coming election will take place under peculiar circumstances, and therefore may need peculiar safeguards, because the Southern whites intend to decide by it, if possible, that negroes shall not have the ballot at all. If it goes against these whites, we believe they will submit, and that at the next election they will be peaceable enough. The fact that "the majority is afraid of the minority," we do not consider a sufficient reason for the minority ruling—naked fear not being a legitimate basis of authority, though influence and respect, combined with fear, may be; and the history of political progress is simply the history of attempts on the part of the majority to get rid of the rule of minorities, who had lost all claim to authority except the capa-

city of inspiring terror. Southern Legislatures which elect Presidential electors will not usurp any power. They have the power under the United States Constitution; and if they use it we hope it will be with the view of securing thereby a real expression of the will of the legal voters.—ED. NATION.]

### THE NEW SCHOOL-BILL IN LOUISIANA.

TO THE EDITOR OF THE NATION:

Your issue for August 20 contains strictures upon a proposed law relating to education in the State of Louisiana, drafted by Mr. T. W. Conway, the present superintendent. Your objections are to the "extraordinary powers" which it is proposed to grant to the State Superintendent in the matter of appointing deputies, and deciding, without appeal, all controversies or disputes arising under the law; and to the provision "making the association of black and white children a necessary prerequisite to any child's getting an education of any sort."

The general school law of the State of New York provides (secs. 2 and 5, title 1) that the State Superintendent of Public Instruction "shall appoint a deputy," . . . "and so many clerks as he may deem necessary." . . . Title 12 of the same act gives him, specifically, jurisdiction to hear and decide appeals from the decision of local school officers and school meetings, and in general terms gives him jurisdiction of all cases which may possibly arise under the general act, "or any other act relating to public instruction." The same title further declares that the decision of the superintendent "shall be final and conclusive, and not subject to question or review in any place or court whatever."

This has been the law of our State since 1830 (see chap. 320, Session Laws of that year), and under it hundreds of cases are annually disposed of in a summary manner, which otherwise might be dragging out lengthy and expensive lives in the courts of law.

Similar provisions of law are in force in Pennsylvania, Ohio, Wisconsin, Iowa, and doubtless in other Northern States, so that that provision in the proposed act for Louisiana would seem to be neither new nor extraordinary.

I have not seen the draft of the act which you criticise, and so am incapacitated from judging of the merits of the second section to which you refer—that relating to the association of black and white children in the school room. That section may have been drawn in such a manner as to render it peculiarly offensive, though I think it more probable that the offence consists in what it is proposed to accomplish. I desire, however, to call your attention to our own School Act (section 39, title 7), which provides that "common schools in the several districts of this State shall be free to all persons over five and under twenty-one years of age residing in the district." . . . The condition of things in Louisiana is not, of course, precisely that of things in New York, and it does not follow that it would be wise to abolish all social distinctions in the schools of the former State, because such a course has been pursued in the latter. Yet the prejudices of race are not weak in New York.

In Louisiana the negroes represent political power. Certain persons of their race are members of the Legislature; a majority of the members of that body owe their election to negro votes. Under such circumstances, would it be reasonable to suppose that the Legislature would look with favor upon an act relating to public education which should continue to regard white children as a class entitled to special privileges in the common schools?

A. A. KEYES.

DEPT. OF PUBLIC INSTRUCTION, ALBANY, August 22, 1868.

[When commenting on Mr. Conway's bill we had before us a brief digest of it which was copied, if we remember right, from some New Orleans paper into one of our Northern papers. After stating that the Louisiana superintendent was to be clothed with all the powers with which, as our correspondent says, most State superintendents in the North are invested, the digest went on to say—and we quoted its own language—that in the case of the Louisiana superintendent the proposed law "also invests him with other extraordinary powers." But our chief objection was made against that section of the bill which, if we are not misinformed, compels all children in the State to attend the public schools, which are, of course, thrown open equally to whites and blacks. Here in New York we throw the schools open to all, but after they are thrown open we do not force Mr. Keyes's children, for instance, into them, and thus into companionship with scholars for whom Mr. Keyes—unreasonably it may be, or it may be very reasonably—has so strong a dislike that he would rather see his boys half-

educated or not educated at all than see them attend the school where the objects of his aversion are to be found.

It may be natural that the colored people of Louisiana, having political power in their hands, should seek to use it for the purpose of bringing about a state of complete equality in social matters. Natural or not, it is not the less mistaken; and neither Mr. Conway nor anybody else is to be commended for encouraging such a course of action. The matter is a practical one; abstract politics have nothing to do with it; the thing that ought to be aimed at by every friend of freedom and of the elevation of the colored race in Louisiana is the education and enlightenment of all her young people—white and black. Give the two races separate schools, or give them leave to attend separate schools even although you make—as you may and should—the State schools perfectly free, no more the property of the one race than of the other, and you take, as it seems to us, effectual measures to bring about the condition we all desire. To take any other course is, as we believe we have said before and as any one can see, to intensify class differences, to endanger the security of the political foundations of the new State, and to postpone the day when all Louisianians alike shall be as well educated as a republican citizen ought to be. We should like to believe Mr. Conway a valuable worker in this cause.—ED. NATION.]

## Notes.

### LITERARY.

"SMOKED GLASS" is the title given to his new book by Mr. R. H. Newell ("Orpheus C. Kerr"), whose publishers are Messrs. G. W. Carleton & Co. The same house will issue a work by H. R. Helper, who, undeterred by the fate of "Nojoque," has written "The Negroes in Negroland, the Negroes in America, and Negroes Generally." "Salad for the Solitary" will be remembered by its title, though its contents were not recollectable. The author of that book, Mr. Frederick Saunders, announces as in Messrs. Carleton & Co.'s press a new book, "Woman, Love, and Marriage;" and some anonymous author will publish "The Philosopher of Foulfouville, a rich satirical burlesque." Mr. Carleton says, "upon Fourierism, Socialism, and other popularisms of the day."—Messrs. Eyre & Spottiswoode announce that they have made Messrs. Pott & Amery their exclusive agents in this country for the sale of Bibles and Prayer-books. Debts due to Eyre & Spottiswoode may be paid in at the new agency.

—We have received the first number of a magazine which is not without a good deal of interest of a painful sort, and which bids fair to be of very considerable value to the officers of the law. It is called the *Detective's Manual and Officer's Guide*, and is edited by detective officers. The number before us begins with a photographed "Rogues' Gallery" containing sixteen pictures, which look as if they might be very good ones, of persons "wanted" for various offences. There are likenesses of two murderers, of two "cracksmen," of one incendiary, one defaulter, one forger, one shoplifter, several "confidence men," one "confidence woman," and some other criminals. Weakness is the prevailing trait—if that can be called a trait—of character shown in the portraits; all these persons, except the burglars, appear to be men and women of natural parts inferior to those of the average decent member of society. Next after the "Rogues' Gallery" comes an abstract of legal decisions and opinions as to arrest—as to what constitutes an arrest, who are exempt from it, when it may be made without a warrant, and so forth. "Terms Used by Rogues" is the beginning of a vocabulary of thieves' slang, which is so prepared as to lead one to suppose that the guardians of the public peace are not very eager for etymological knowledge, but rather are solicitous merely of a conversational acquaintance with the only live Latin of our day. "To Abraham" a fellow-creature is, we learn, to deceive him; an "Adam" or an "Albert" is a chum or accomplice; "an active citizen" is the cant name for a certain parasitic insect; "air and exercise" is working at Sing Sing or at Blackwell's Island, in the quarry; "apples and pears" are stairs; to be "autumed" is to be married, the male and female parties to the contract being respectively an "autum cove" and an "autum cackler"; the "autum cackler," being bereaved of her husband, becomes "an ace of aces"—that being what a widow is styled in the slang dictionary; "an autum bawler" is the best name that is given to a clergyman. "Men Wanted—Property Stolen" is the heading of the next article. A specimen of its contents—a specimen of more than common readability—is the following description of a man for whose arrest the chief of the Western State Detective Police offers \$250 reward:

"A man by the name of J. W. Youmans, a physician, is travelling from place to place and practising medicine. He is guilty of murder. He is about fifty-five or sixty years of age; is about 5 feet 11 inches high; full features; square, broad shoulders; dark auburn hair, inclined to curl, and is slightly grey. There may be one or two moles on his face, and also some blotches or dimples, making the face look rough. Has a deep-set grey eye; has a dent or dimple on the chin; is somewhat stoop-shouldered; has good front teeth; legs rather short; will weigh from 165 to 175 pounds; goes considerably with his hands in pockets; his hair is very thin on the temples and scalp; has a habit of clearing up, or coughing to clear his throat; looks like a strong man; has a habit of putting his thumbs in his vest and swelling himself out, and throwing himself back in a very pompous manner; sometimes goes with his head down, but when in good humor will throw his hat back in a very peculiar manner; chews plug tobacco, and after taking a chew will keep spitting for a short time; takes large chews, and is very dirty about his mouth; drinks whiskey and talks very loud; is a great story-teller, and is vulgar in language; likes women's company; sometimes wears a ring on one small finger. Has lived in McLean, Logan, and Livingston Counties, Illinois, and also in Missouri. Was born in Bourbon County, Kentucky. He is now travelling under disguise, and has sometimes his hair colored, and pretends to be lame, and will walk in a stooping manner. He will try to bluff any officer who may arrest him, and will deny having ever been in this State."

The rest of the magazine is filled up with some remarks about counterfeiting, and how to discover the unguineness of certain specified and described bills and notes now in circulation; with instructions to patrolmen and detectives as to their rights and duties; with directions for restoring to consciousness persons apparently drowned or suffocated or stricken with apoplexy; with a list of all sheriffs in the Union, and other kindred matters. As we have said, the new periodical is not devoid of general interest, and it must be of value to men employed in the police service. Springfield, Massachusetts, is the place of publication.

—The *Pall Mall Gazette* has unearthed a poem called the "Gospel Railroad," published in the *Christian Sentinel*, a paper designed, as its name indicates, to be read by the soldiers in barracks. These two stanzas are a fair sample of it:

"At Sin-hate door all take a ticket  
To show the porter at the wicket;  
No money are they called to pay,  
Since Jesus did its price defray."

"The carriage by the Saviour reared  
With rushing sound is ever heard,  
As swift are drawn to Zion's station  
Travellers of every rank and nation."

This is nonsensical enough, to be sure, and bad in other ways, but as regards the pulling down of lofty things and the inculcation of false and degrading religious conceptions, it must yield to a little hymn which, it is a pity to say, was widely popular in this country a few years ago. It begins thus:

"I have a never-falling bank,  
A more than golden store;  
No earthly bank is half so rich—  
Now, then, can I be poor?"

In further development of this pleasing metaphor we have verses like these:

"I know my bank will never break—  
No, it can never fail;  
The firm—three persons in one God,  
Jehovah—Lord of all."

"The leper had a little note—  
Lord, if Thou wilt, Thou can;  
The banker cashed this little note  
And healed this sickly man."

"But see the wretched, dying thief  
Hang by the Banker's side;  
He cried, 'Dear Lord, remember me,  
And got his cash—and died.'"

The work in which we find these stanzas is still in use among us, and in 1860 had reached its twenty-third thousand.

—The July number of Dr. Hammond's *Quarterly Journal of Psychological Medicine* is but just out, the magazine having passed into new hands since the last quarter. D. Appleton & Co. are the present publishers. The Appletons are the only great publishers who hitherto have not been owners of some sort of a periodical to be used as a vehicle for the owner's advertisements. Their *Railway Guide* might very well have been so used, but, if we remember right, it has not been so used to any great extent. The *Quarterly Journal* will partly or wholly perform this office for its new owners, and it is likely that we may hear no more of the rumor that Messrs. Appleton are about to put a new monthly magazine on our already overburdened market. It would, however, be matter of rejoicing if they, with their facilities for the widest advertising and their pecuniary resources, would enter the field of periodical literature with a good magazine, and kill two or three of the things which are now educating people into inanity. The *Quar-*



*terly Journal of Psychological Medicine and Medical Jurisprudence*—we wish its new owners had made a new name for it—we always read with a good deal of pleasure. We suppose there are not in the whole range of science any subjects so interesting to the tolerably thoughtful general reader as those offered to his contemplation by medical science. Let alone the interest that he naturally takes in studies whose object it is to abolish or diminish pain and to lengthen human life; let alone his natural curiosity as regards his own bodily composition, and the dangers to which as a being of flesh and blood he is always exposed; leave unconsidered the pleasure he must get from seeing plainly, as the observer of medical science does see, that gradually man is to put under his feet the evils that beset his body; leave unconsidered, too, the gratification got from shrewd argumentation upon ingenious theories and facts closely observed and accurately weighed; leave aside all these elements of interest, and psychological medicine—physiological psychology—still commands the most earnest attention. Upon philosophy and religion it exerts a great and a constantly increasing influence. The term physiological psychology in itself challenges attention; it is of importance for us to know how the doctors of medicine and the doctors of divinity agree, and what the dissectors of the brain have to say to the students of the mind. In this July number of the *Journal* these are the articles and their authors: "Chlorosis a Disease of the Nervous System," by Dr. Wm. A. Hammond; "Suicide and Insanity," by Dr. T. Edwards Clark; "The Legal Consequences of Insanity," by Dr. S. Henry Dixon; "A Case of Epilepsy Successfully Treated with Strichnia," by R. L. Parsons; "Singular Development of Language in a Child," by Dr. E. R. Hun; "Further Remarks on Organic Infantile Paralysis," by Dr. Wm. A. Hammond; "The Formation of the Mixed Human Races," by M. de Quatrefages (translated by Dr. E. S. Dunster); and some sharp but just remarks by Dr. H. R. Storer on a lawyer's criticism, made by Mr. Simon Stern, of a previous article by Dr. Storer in which fault was found with the law of rape. Perhaps it was hardly worth the Doctor's while to attack his critic; almost no one thought the criticism worth notice. After these articles there are some careful reviews of books; then comes what is called the "Chronicle," which relates to the physiology and pathology of the brain and nervous system; this is followed by a miscellaneous article—made up of home and foreign reports of cases—on medical jurisprudence, and by an article containing remarks on rare diseases, on freaks of insane persons, on noteworthy facts of science, and so on. Physicians, we imagine, do not need to be advised to take the magazine; the general reader has our advice to read it regularly.

—The singular development of language in a child which is mentioned above certainly is, so far as we know, singular in the true (or the narrow) sense of that word. A little girl, now four and a half years old, was observed to be, when two or three years old, very backward in learning to speak. She could then use only the words "papa" and "mamma," and these are the only words of common English that she now uses; she has invented a copious vocabulary of her own and taught it to her brother, who is some eighteen months younger than herself. He, however, makes use of the new language only when he talks with his sister; he finds no difficulty in using ordinary diction. The little girl says *too* for "all." *Gaïn* means "God;" *migno-migno* means "water," "wash," "bath;" *odo* means "to send for," "to go out," "to take away;" *feu* means "fire," "heat," "light," "cigar," "sun." On a rainy day the child has been heard to say, when looking out of the window: *Gaïn feu odo migno-migno, feu odo*, which means, "God, take away the rain and send the sun." It is said by Dr. Hun that by *odo*, which she uses as a transitive verb, she means "take away" if she puts the object after the verb, and "send" if she puts the object first. *Ne pa* means "not;" *ma* means "I," "myself." These last-mentioned words—and *feu* for "fire" and *too* (*tout*) for "all"—would seem to prove that the child had somewhere picked up some French; but her parents say that she has had no opportunity to do so. A rigid cross-examination might throw doubt on their testimony in this particular. But it would still be somewhat hard to account for the fact that in the new language *peer* means "a ball," and *waia-waia* "black" or "darkness" or "a negro," and *gummigar* "all the substantials of the table, such as bread, meat, vegetables, etc." The same word is used to designate the cook. We say it would be somewhat hard—we do not know the child and her surroundings, and consequently do not know just how hard it would be—but we think it would not be at all impossible. We should say that in all probability it can be proved that *ne pa* is the child's word for "not," because she has somewhere heard some French; and the same remark is, of course, to be made about *too*, and might be made about *ma*, which, however, may as well be "me" as *moi*; vowel sounds count for nothing in such cases.

Some of the other words in this new vocabulary are obviously corruptions of ordinary English, as for instance *petee-petee* (pretty), "the name given by the boy to his sister;" *babia* (baby), the name by which the boy and girl call their younger brother; *mea* (miaow), the word for "furs" and for "cat;" *go-go* (good), "delicacies of any kind;" and *dere*, which is used for "there" or "there is." Other words that are set down by Dr. Hun will not seem to persons acquainted with "baby-talk" as being at all worse corruptions of good English than are every week occurring in every nursery. *Gar* for "horse" is not worse than *na-na*, which we have for some time known as "baby-English" for "grandma," nor than other of the orthopedic distortions known by the score to every head of a family. But however the vocabulary was acquired, it is certainly remarkable that it should be exclusively employed, and employed for so long a time. The little girl uses no other words than those which may be called her own, and those she uses with great fluency. It would be well, we should say, to force her, by putting her with persons who are ignorant of her peculiar tongue, to express herself in common words. This, we suppose, would be easy; a child that feels the desire to communicate with her acquaintances so strongly as to invent a language to subserve that end would, if a little pressure were brought to bear on her, readily adopt the language of those about her.

—In addition to the new English books and announcements spoken of last week, we may speak of these others as being of interest to the reading public on this as well as on that side of the water. The *Bookbuyer* says that Emanuel Deutsch, whose article on the *Talmud* made so much noise a few months ago, is now announced as the author of a book to be called "The Talmud"—a book as to which no one seems to know just what it will be. Carlyle is said to be preparing a standard library edition of all his works. Each one of the works will—when it is at all possible—be complete in one volume, and the volumes of the set will, therefore, vary in price, but the edition is not going to be a cheap one. Mr. Dallas, the not very judicious author of "The Gay Science"—criticism, namely—is going to stand responsible for a pruned edition of "Clarissa Harlowe." Mr. Dallas's mutilation of Richardson deserves to share, and in all likelihood will share, the fate of Mr. Hain Friswell's recent abridgment of the "Arcadia." People who want any of either of these romances want all. Bohn's Lowndes's "Bibliographer's Manual" is to appear in a new edition, in six octavos. All things considered, it is perhaps our most satisfactory work of reference in English, and, satisfactory or not, is a book hardly to be dispensed with. A new edition of "Pepys' Diary" is to be issued in the course of the fall or of next spring, and it will be so different from the editions now extant that it may almost be called the first. There has been a new interpretation, Mr. Welford says, of the author's short-hand manuscripts, and it has been copied *in extenso*. Previous editors—who had this much excuse for their shortcomings, that the manuscript was most crabbed, and that the publication of so much fossil gossip was an experiment on the forbearance of readers,—previous editors gave, as it appears, no page exactly as it is in the original, but allowed themselves large liberty of omitting and altering. We see that Mr. Beecher's "Norwood" is out in a popular six-shilling edition. The third volume of the new series of "Wellington's Despatches" is out, and contains diplomatic papers on Russia, Turkey, and Greece, the Duke's review of Napoleon's Russian campaign, and much information on the Eastern question. Mr. Kinglake's new volumes, attacked on the score of incorrectness in statement of fact, and not so much admired for their style as were their predecessors when the style was new, are not selling so well as they might be, it is said.

—Inasmuch as the authorities at Oxford are receiving from America letters of enquiry as to the rules laid down for the government of the new class of students at that university, we are requested to state what the rules are that have been adopted. "Scholares non ascripti," or Unattached Students, are such as, without belonging to any college or hall, are members of the university, and "keep terms by residing in Oxford either with their parents or in lodgings which have been duly licensed." Persons who desire to become Unattached Students must apply to the Delegates for licensing lodging-houses, and these must be satisfied of the candidate's good character, and of their parents' willingness that they should live in lodgings. Then follows (on the 15th of October is the first one) an examination of such as present themselves for admission, who must be up in three books of Homer or one Greek Play; in three books of the "Æneid" or of Horace's "Odes;" in translating from English into Latin; in the elements of Greek and Latin Grammar; in Arithmetic, including vulgar and decimal fractions and proportion; in the first and second books of Euclid, or else in Algebra—so far as to have the first four rules, fractions, and simple equations.

The candidate, having been successful, is required to choose a tutor from a number of gentlemen whose names are put on a list approved by the Delegates, and then he is matriculated by the Vice-Chancellor. The tutors are paid in part by the University—that is to say, the pupil pays for his instruction, but the University pays the tutor for supervising the conduct of his charge, and for instructing him, if he be a member of the Church of England, in matters of faith. Five pounds paid at matriculation, and £3 10s. per annum, are the only fees and dues to be paid by the Unattached Student, and these entitle him to the advice and supervision above-mentioned and to all the University advantages which are the privilege of undergraduates. What is the cost of rooms and what the salaries paid to tutors we do not know. As in the case of students in college or hall, the Unattached Student keeps his twelve terms before proceeding to the degree of Bachelor of Arts. We have received, together with the regulations, the substance of which is above set forth, a set of lodging-house regulations of sufficient severity. For example, the lodging-house keeper forfeits his license if he breaks this rule: "In case any student lodging in my house shall pass the night out of his lodgings, I will attend in person on the following morning, and report the same to the College authorities or (in the case of Unattached Students) to the Delegates of Lodging-houses." The other regulations are equally stringent, and would seem to guarantee pretty well a sober and regular life on the part of the young men.

### BALLAD BOOKS.\*

THE first volume of the poems of the Percy Manuscript received a hearty greeting in the *Nation*. We have now the whole book, in three fine octavos of 600 pages, with a supplement, which, for sufficient reasons, is kept somewhat in the background. We have every line, word, and letter of the manuscript that remains, including all of Percy's notes and scribbings. Though the abominable carelessness of the writing might almost have excused indifference to trifles, the very tails and dots of letters have been painfully considered, and where there is only one stroke to an *n* or a variation in the form of *e* we are sure to be informed. Mr. Furnivall, who answers for the text, has been as scrupulous in executing as he was intrepid in undertaking. There are prefaces to every piece, and several articles of a more general character. These prefaces, mostly by Mr. Hales, are carefully made up and agreeably written, and on special points the best authorities in England have lent their help. The pains taken with the book is more remarkable in that the editors were obliged to do their work in a short time. If an opportunity should occur for a deliberate revision, some improvements might be made. The illustrations, whether glossarial, literary, or historical, might be better digested. But this is a slight matter. The prefaces, it may be observed, though they generally contain what is desirable in the way of solid information, are as little as possible in the conventional tone of antiquarians, and the most "advanced" and "progressive" of philanthropists might be convinced by reading two or three of them that a passion for man and a passion for manuscripts are perfectly compatible.

A full expression of the relief of mind which the publication of these poems has brought us would look to many like wasteful and ridiculous excess. Such, however, would not be the judgment of those who set a true estimation on popular poetry. It would not have been the judgment of Macaulay, for instance, who has spoken so appreciatingly of this species of literature in the remarks prefixed to his "Lays of Ancient Rome." "Eighty years ago," he says, "England possessed only one tattered copy of 'Child Waters' and 'Sir Cauline,' and Spain only one tattered copy of the noble poem of the 'Cid.' The snuff of a candle or a mischievous dog might in a moment have deprived the world for ever of any of those fine compositions." This tattered copy of "Child Waters" and of "Sir Cauline" was, of course, the copy contained in our manuscript, which manuscript, even at the epoch referred to, had suffered large losses from "being used by the maids to light the fire," and would all have gone to the dogs or to the flames had not Percy begged it of his friend Humphrey Pitt. With it would have perished, besides the pieces mentioned by Macaulay, and a hundred and fifty others not used for the "Reliques," such noble ballads as "Glasgerion," "Aldingar," "Robin of Portingale," "Child Maurice," "The Child of Ell," "The Marriage of Gawain," "The Boy and the Mantle," "Guy of Gisborn," "The Rising in the North," and "King Estmere"—most of which we possess in no other form—with excellent copies of "Sir Andrew Bar-

ton," "The Heir of Lin," "King John and the Bishop," and a good many more than we wish to write out. From the utter loss of these ballads we were saved, as Macaulay intimates, by Percy's intervention. Benedictus! But let us now see what we have gained by the intervention of Mr. Furnivall and Mr. Hales.

Percy printed less than a quarter of the articles in his manuscript. We have now all the rest, and among them not a few admirable poems. Percy did, it is true, give us the best ballads; but he gave only one, we believe, as it stands in the manuscript, and that only in an appendix—to the intent "that such austere antiquaries as complain that the ancient copies have not been always rigidly adhered to may see how unfit for publication many of the pieces would have been if all the blunders, corruptions, and nonsense of illiterate reciters and transcribers had been superstitiously retained, without some attempt to correct and amend them." Now, we admit all the blunders, corruptions, and nonsense which Percy charges on his manuscript, and trust we have as little reverence as any bishop that ever was consecrated for nonsense, corruption, and so forth. Editors are doubtless inexcusable who do not attend properly to the emendation of texts. But what was Percy's course? Let us take for an instance "Sir Cauline," one of the ballads so prized by Macaulay. Under the pretence of correcting and completing a story which was already complete, Percy has extended this ballad from 201 to 392 lines, and has perverted a good, honest tale of successful love into a sort of tragical pastoral of the most revolting sentimentality.

This is the end of the genuine "Sir Cauline":

"Then he did marry this king's daughter,  
With gold and silver bright,  
And fifteen sonnes this ladye beere  
To Sir Cawline the Knight."

And this of the spurious:

"Then fayntinge in a deadlye swoone,  
And with a deep-fette sighe,  
That burst her gentle heart in twayne,  
Fayre Christabelle did die."

Other ballads have fared almost as ill. A magnificent fragment, 39 lines only, of "The Child of Ell," Percy made into a mawkish story of 200—this time realizing Sir Fretful Plagiary's apprehension of the manager, "taking out some of the best things in my tragedy and putting them into his own comedy;" transforming a savage and gloomy tale of immemorial antiquity into the mildest description of eighteenth-century melodrama, in which a knight who has carried off a baron's daughter addresses the enraged father in these civil terms:

"Nowe hold thy hand, thou bold baron,  
I pray thee, hold thy hand,  
Nor ruthless rend two gentle hearts  
Fast knitt in true love's band:"

and in which we have this kind of conversion:

(ORIGINAL.)

"He leaned ore his saddle-bow  
To kisse this lady good:  
The teares that went them two betweene  
Were blend water and blood."

(PERCY.)

"And thrice he claspede her to his breste,  
And kist her tenderlie;  
The teares that fell from her fair eyes  
Ranne like the fountayne free."

"Which being so well apparelled in the dust and cobweb of that uncivil age," Philip Sidney says of "Chevy Chase," "what would it work trimmed in the gorgeous eloquence of Pindar!" The marvellous effects of gorgeous eloquence can be seen in any of the ballads revised and completed by Percy to fit them for polished times. Yet Percy continually speaks of the affecting simplicity and artless beauties of the originals. The wonder is that he should not see that his imitations were in a style precisely the contrary.

"Sir Aldingar," "The Heir of Lin," "Guy of Gisborn"—what not, indeed?—have suffered more or less, and "King Estmere," that purely delightful thing, no one will ever know how much; for to save the trouble of copying for the press, Percy tore out the two leaves containing it, and they are gone for ever. So what with the ravages of the housemaids and of Percy, and some slight damages from the binder and from the atmosphere, the treasures once contained in this book are sensibly diminished, as their beauty had already been marred by the accidents of the process of transmission, and especially by the carelessness of the transcriber. One could make himself very melancholy about this matter; and being in that humor, what words could express our regret for the loss of countless other ballads, which have perished like the generations of the leaves, and largely in consequence of the introduction of the art which boasts the conservation of all arts? Since ballad times cannot return except with the return of a state of society which no rational being wishes to see repeated, all we can do is to put beyond danger

\* "Bishop Percy's Folio Manuscript. Ballads and Romances. Edited by John W. Hales, M.A., Fellow and Late Assistant-Tutor of Christ's College, Cambridge, and Frederick J. Furnivall, M.A., of Trinity Hall, Cambridge," etc. 3 vols. London: N. Trübner & Co. 1867-8. New York: For sale by John Wiley & Son.  
"Scottish Ballads and Songs, Historical and Traditional." Edited by James Maidment. 2 vols. Edinburgh: William Paterson. 1868.



what we happen to retain, and to seek out and save what is just ready to perish. The Percy Manuscript was the first thing to be taken in hand, and that is secure. Macaulay's dog or candle; Newton's dog and candle; Humphrey Pitt's serving-maids; the devastation of the British Museum by some Abyssinian Theodor; malice domestic, foreign levy—nothing can touch it further.

Without the Percy Manuscript no proper collection of the national ballads of England was possible, since only spurious copies of many of the finest ballads in the language were to be had. Having got it, why should not Englishmen set to work, though very late, to make a complete collection? Why should we not have an English work which should at least aspire to equal Svend Grundtvig's "Old Ballads of Denmark"? At the moment we ask the question, the gallant Furnivall, who has perfectly imbibed the spirit of the knights among whom he has lived so much, and delights above all things in arduous adventures, is establishing a Ballad Society. This society proposes to print all the known collections of English ballads, the Pepys, unless printed by Magdalene College, the Roxburghe, the Bagford, and so on; also, manuscript ballads. First, we are to have the great collections of broadsides or flying leaves, and the manuscript ballads "when Mr. Furnivall, or whoever their editor may be, has had time to collect them." Now, while we have not a word to say against the matter of this scheme, we are not favorably struck by the order of proceedings. We all know what the Roxburghe and Pepys collections are made up of. Mr. Collier has printed a volume of Roxburghe ballads, favorable specimens, there is reason to believe. We had, last year, a volume of Black Letter ballads and broadsides, which the editor declares to be the most extraordinary and valuable collection of early English ballads now known to exist, with a very few exceptions, and those familiar pieces. This most extraordinary and valuable of existing collections is about as dull and useless reading as in a considerable acquaintance with worthless literature we have ever met with. The Ballad Society, if the London *Athenæum* is right, expects to publish about thirty such volumes as Collier's and this last. If the project is carried out, we expect to have the fortitude to subscribe for and to examine these thirty volumes. In our quality of lover of popular literature, we could turn over a dark heap, even of these dimensions, for the hope of a jewel here and there. But why should not the Ballad Society put its best foot forward, and print the manuscript ballads first? The prestige which might be got by discovering a few fine ballads, or by publishing the genuine texts of corrupted and highly "edited" ones already known, would give the society a momentum that would carry it through a long level of broadsides. Whereas, the propelling of a sufficient number of subscribers through twenty-five or thirty volumes of the Roxburghe and Pepys quality seems to us, even with a good start, to be difficult, and, without a good start, out of the question. Give us then, first, all that is left, or all that can be found, of the genuine ballads of the people. Ransack the public libraries. Several of the best ballads we have come from the University Library at Cambridge. Hunt up private manuscripts. Where is the manuscript of Mrs. Brown of Falkland, to which Jamieson and Scott owe so much? At Aberdeen, very likely. Where is Herd's Manuscript, where the Glenriddell Manuscript, lent Scott by Mr. Jollie of Carlisle? And next, where are the Mrs. Farquhars, the Mrs. Browns, the Mrs. Arnolds, the Miss Rutherfords themselves, and the nurses who taught them ballads? Small hope, we acknowledge, of finding such nurses any more, or such foster-children, and yet it cannot be that the diffusion of useful knowledge, the intrusion of railroads, and the general progress of society, have quite driven all the old songs out of country-women's heads—for it will be noted that it is mainly through women everywhere—

"The spinsters and the knitters in the sun,  
And the free maids that weave their thread with bones"—

that ballads have been preserved. From these sources, public libraries, parish scrap-books, and the memory of living persons, it is probable that much might be gathered. The manuscripts we have referred to have, indeed, been used already, but their contents have undergone editorial manipulation, and although it is certain that anything handed down by oral tradition is corrupted and mutilated on the way, and that critical ingenuity has often restored a lost meaning, we insist on having the actual tradition placed before our eyes. We utterly refuse "collated" editions, made up from a variety of copies, such as we find in nearly all the ballad-books from Percy down to our day, including Walter Scott's minstrelsy. No principle less strict than that of the editors of the Percy Manuscript (saving what we think an exaggerated deference for an ignorant and slovenly writer's capital letters) is strict enough.

When the proposed society shall have printed all the ballads preserved

in manuscripts or floating in the memories of the people, we shall be ready for the broadsides. These last should follow and not take precedence, not only because the other class is more in danger of destruction, but because its value is immeasurably greater.

It has not been easy for Americans to get at these volumes as they were coming out, but henceforth Messrs. Wiley will no doubt keep a full supply of copies. It should be remembered that Mr. Furnivall has had to bear the pecuniary responsibility of publication, besides doing the larger part of the literary work. A loss to him would be a shame to the public. The profits, if there should be any, will go to the Early English Text Society.

Mr. Maidment's book does not require many words. We have had from him three small parcels of popular poetry before, the oldest dating more than forty years back, and in the three there may be three or four ballad texts which appear for the first time. The present compilation has no new ballads, and no new copies derived from tradition, but the preface contains much historical and genealogical lore, some of which appears to be original. It is exasperating to see Lady Wardlaw's "Hardyknute" anywhere, and not prepossessing to find it in the forefront of "Historical and Traditionary Ballads," actually taking the *pas* of "Sir Patrick Spens" and "The Battle of Otterbourne." Will anybody tell us why Chatterton's more than tolerable ballad of the "Bristowe Tragedie" is never seen in historical and traditional ballads, while this brummagem "Hardyknute" confronts us at every turn? By way of testing Mr. Maidment on a point where the Scotch editors are particularly weak, we turned to the "Douglas Tragedy." He thinks it far from improbable that this story, which is the same as Percy's "Childe of Elle," may be founded on incidents in the history of the family whose name it bears—in this following Walter Scott. But he forgets for a moment the thirty or forty varieties of the story in the Scandinavian language (that he is acquainted with the Scandinavian ballads may be inferred from his asserting that "Sir Patrick Spens" far excels "the ballad poetry of this or any other country"), and does not attend to the warnings of Jamieson against trusting the circumstantial evidence of popular tales. Mr. Maidment deserves the praise of rigid honesty in dealing with his texts.

#### POPULARIZATION OF SCIENCE IN GERMANY.\*

NOTWITHSTANDING the cheerful tale of the column in the Prussian census giving the proportion of those who can to those who cannot read, it must be admitted that the Germans are not a reading people. A traveller in the North German Bund seldom finds even a farm laborer who cannot decipher a written order, but in no country peopled by kindred race does he find such a great gulf fixed between the learned and the unlearned. Though their cousins in Britain and America have pretty much divested themselves of apathy to improvement and inclination to "let well enough alone," they seem natural to the common people of Germany, and are fostered by patrician sentiment and tradition, and favored by government. An author of the last century affirmed that "writing is *virginibus* nothing but a *vehiculum* of immortality," adding that they would employ the accomplishment only to write love-letters; even Julius Mosen declared that as a man of the people he would marry no one able to read and write. Frederic the Great was opposed to educating the peasantry, and said, writing to Zedlitz: "It is enough in the plain country that they know how to read and write a little; if they know too much they run into the cities." And within a year a Prussian superintendent of public instruction said in a teachers' convention: "It is sufficient for a common man if he is able when in barracks to write home, 'Dear Parents—I am well; please send me some money and something to eat.'" It is thus not to be wondered at that working-men's clubs, evening schools, and like advantages for the lower classes are less frequent in Germany than in England and the United States. To do something towards bringing about a different state of things, two professors, the one a celebrated physician and naturalist, the other a distinguished jurist, of the Royal University, hit upon the plan of publishing, in accessible form, the best public lectures delivered in Berlin, where *Vorträge* are held before societies many and on topics numberless. The scope of the collection is somewhat similar to that of the "Revue des Cours Scientifiques" and the "Revue des Cours Littéraires," but it is designed for a less cultivated circle of readers. While the names of the sponsors for these essays guarantee their excellence, the German *coryphæi* in various departments will be found among their authors, as a brief mention of a few of them will show.

\* "Sammlung gemeinverständlicher wissenschaftlicher Vorträge, herausgegeben von Rud. Virchow und Fr. v. Holtzendorff. (A Collection of Easily Understood Instructional Lectures, Edited by Rud. Virchow and Fr. von Holtzendorff.) Series I., II., and III. Nos. 1-53.

One of the earliest of the series is contributed by Dr. Bluntschli, of Heidelberg, and treats of "The Significance and Progress of Modern International Law." It would be difficult to present, in the narrow compass of sixty-odd pages, a better view of this somewhat indefinite science, with which newspaper readers are supposed to be more or less familiar. More than half hiding his didactic intent by a happy and withal natural arrangement, the doctor first proves, in a few precursory sentences—which, if less brief, might be dignified with the name of a philosophical introduction—that there is a basis for international law. Then, having answered some objections, he shows that such a thing does exist, despite the half-truism, "Might makes right," as also the maxim, "No statute, no law." Statutes are the clearest and most effective utterance of the law; yet they are not, even to the individuals of a single nation, the only fountain of it; and so, though there is no common lawgiver for the society of states, the law which is to govern them finds expression in various ways—in treaties, in mutual declarations of states united in congress, and even in the legislation of a single state. "We have lately experienced a remarkable example of this kind, which also marks an important advance in modern international law—to wit, the 'Instruction for the Army of the United States in the Field,' which is to be regarded as the first codification of martial law in war on land" (drawn up by Dr. Lieber). . . . "This 'Instruction' is much more extended and complete than the war regulations in use in European armies; but as it expresses throughout principles of international law of universal character, and as the manner of their expression is in accordance with that accepted as right by the humanity of our day and with the conduct of civilized war of the present time, this edict has a working sphere extending far beyond the wide borders of the United States." Almost worse than the lack of international statutes is the absence of international courts where international disputes could be settled, instead of being determined by war, which is, after all, the *dernier ressort* in most instances of important disagreement. Still, international law has, under all these disadvantages, made progress, from its earliest and rude beginnings among the ancients down through the ages in which Christianity has modified and influenced the actions and relations of the successors of Roman civilization and the Germans, till it has at last emancipated itself from religion, and such compacts as the Holy Alliance have become impossible, when not only the foremost disciple of the Prophet, but also the most prominent believer in the doctrines of Confucius, are reckoned as subjects of "European international law."

A notice of the measures adopted for the suppression of the slave trade, so fruitful of controversies and of compacts concerning the right of search and mixed tribunals, bridges over the return from this historical digression to the subject proper, and to a discussion of the representation of states through envoys and consuls, of the rights of foreigners, of arbitration and intervention, of the freedom of the sea, of the laws of war particularly relating to the status of enemy's property in war on land and at sea, and of the rights and duties of neutrals. As our author keeps constantly in view the progress of "modern international law," he naturally states, in conclusion, its goal—"to become the humane law of the world." By this last sentence, as also by the half assent to Dr. Lieber's proposal concerning the settlement of the "Alabama claims," implied in a variation of it, and by the expression of the possibility of the future existence of an organization which will utter the will of all nations with universally recognized authority, the reader is reminded that Dr. Bluntschli is the latest successor of the Abbé Grégoire in attempting something like a codification of international law. Dr. Woolsey defines international law to be "the aggregate of the rules which Christian states acknowledge as obligatory in their relations to each other and to each other's subjects." Dr. Bluntschli might almost be thought to have paraphrased his definition from this, for he says: "Völkerrecht heisst die als rechtlich-nothwendig anerkannte Ordnung, welche die Beziehungen der Staaten zu einander regelt." The latter is more objectionable than the former, inasmuch as it conveys an impression of greater authority in international law than really exists. He here recommits the error which runs through his book, mentioned above, of confounding what ought to be with what is, and thus affords a new illustration of the importance of good definitions, so dwelt upon by Mr. Mill; for he would have been saved from his mistake by a better definition—e.g., that given by Mr. Austin, "Positive international morality."

Such an extended résumé of one tract is perhaps in contradiction of the promised brief mention, and must be excused on the plea that no subject can be of more general interest than the rules regulating international intercourse, and from the fact that so many of Dr. Bluntschli's illustrations are drawn from United States history; the notices of the others shall at any

rate be more succinct. To H. Dove—Professor Dr. Dove, Vice-Chancellor of the civil order *pour le mérite*, member of the Academy, and knight of many orders, would have been more after the German style—is credited "The Circulation of Water on the Surface of the Earth," an instructive lecture which, by its wealth of facts and pleasing diction, calls to mind the elder Silliman. In this is explained much of the wherefore of tides, with their ebb and flood; of salt and other mineral springs, and their temperature; of geysers, and of rain—enough, at least, to still any rising doubts of the immutability of natural laws. An evidence of more thorough early training than usually falls to the lot of our scientific men is the frequency of reference, so characteristic of German savans, to writers of classical antiquity, to Cæsar, Lucretius, Strabo, and Pliny. From the latter it would appear Struve took the hint which led to the artificial preparation of mineral water. As a physicist, Dr. Dove of course ascribes the same health-giving properties to the imitation as to the natural waters, but he is obliged to confess that all the skill of the chemist cannot supply the charms of the baths, where the invalid is no longer only a tolerated creature among hale associates, but a member of the majority, with rights and privileges as such, where ailments take such acceptable form that it is difficult to distinguish the sufferers, and the attractions are so manifold that one does not marvel at Paris marriage contracts containing as a stereotyped stipulation, "*et la saison à Bade*." The Prussian Astronomer-Royal writes of the "Measures of Time," giving as a preface several pages of abstract remarks, which perhaps wearied the writer, and certainly weary most of his readers, some of whom will feel like re-quoting a line cited by himself:

"Wozu die Brücke breiter als der Fluss?"

The suggestion that northern nations were compelled to invent some mechanism for marking time other than the sun-dials and water-clocks brought to such perfection in Arabia, because the absence of the sun and the prevalence of cold during great portions of the year prevented these contrivances from answering their purpose, is novel if not new.

"Social Rights and Duties" is from the pen of Schulze-Delitzsch, whose name is a household word with the laboring men throughout the "Fatherland," and who never fails to support their interests in the public press and in the many Parliaments with which King William's people are blessed. It is gratifying, though contrary to expectation, to find that Judge Schulze decides in the case of the individual *vs.* society, that the duties of the former are quite as marked as his rights.

"Strikes" would be rare, and the relations between employer and employed would be healthier, if the principles set forth and illustrated by Dr. Engel, Chief of the Prussian Statistical Bureau, in two lectures on the "Nature and Price of Labor," were accepted and realized. Few, if any, of the ideas presented are really new, for most of them were enunciated or suggested by Adam Smith a century ago, but they are here worked out and illustrated with a singular clearness, almost relentlessness, more usual with French than German writers. Yet the tables and computations of Herr Engel, who, mighty in figures, reckons the coefficients of the cost of labor as coolly as he would that of mule or water-power, bring us no further than the sentence in Luke which says: "The laborer is worthy of his hire."

Particularly deserving of notice, which may be said of nearly every one of the collection, are also a very readable statement of the "Dwelling-house Question," by President Lette; a report on "Orphans and the Treatment of Orphans in Berlin," by City-Judge Zelle; a capital treatise on "Bills of Exchange," by Doctor, or, according to the latest papers, Professor Kuehns; and an able pamphlet on the "City Government of London," by Professor Gneist, author of several works on "The English Constitution," "Self-Government," etc. A few biographical sketches are given. Among them is a memoir of Heinrich Zschokke (best known to many through the translations of Mr. Godwin) by Emil Zschokke; and Hermann Grimm, who has preferred to be a novelist, an essayist, and interpreter of Emerson, rather than adopt the severer labors of lexicographer and legal antiquarian, gives an entertaining chapter on art under the title of "Albrecht Dürer." The first number of the new series has also a personal subject, "Machiavelli," by C. Twesten, whose name will long go down in Prussian Parliamentary history as that of a champion and whilom martyr for free speech. Though the date of the publication of this lecture is so recent, it was delivered before the Berlin Artisans' Union in December of 1866, or a little before Judge Twesten with his followers went over to the assistance of Count Bismark and the support of the constitution of the new confederacy. It is, then, perhaps not without significance that Machiavelli's excuse for becoming reconciled with the Medici after the restoration of 1512 is distinctly pointed out. As for Herr Twesten's estimate of Machiavelli, he inclines neither to the side



of those who, with Frederick the Great, regarded him as the incarnation of wicked doctrines, nor to that of those who, like Von Moser, could cry out: "Sancte Machiavelli, ora pro nobis," but rather adopts the judgment of Robert Von Mohl: "Machiavelli hath sinned, but still more hath been sinned against him," and he says himself: "We may consider Machiavelli's sins as atoned for by his high-minded striving for the greatness and importance of his people." "In the year 1827, Macaulay wrote: 'Machiavelli's grave would be approached with greater reverence if the goal of his aspirations were attained.' . . . That goal is now secured. A national state is developing itself in Italy as in Germany. Not without marvelling can one read the deep truths uttered by the great Italian, and now confirmed after the lapse of centuries."

Professor Virchow himself furnishes the first essay—on "Giant Graves and Pile Structures." His object was evidently more to awaken an interest in the preservation of such relics than to write an erudite disquisition. Though displaying much learning and research, he lays himself open to much criticism by unreservedly adopting the division into the stone, bronze, and iron periods, with the customary conclusions, *e.g.*, the diminutive stature of the men of the bronze period from the smallness of the sword handles. From the accounts of the stone implements of the New Zealanders, and from Admiral d'Urville's discovering pile-buildings in New Guinea similar to those scattered throughout Europe, he deduces not, as might perhaps be pardoned in so ardent a republican, that the savages of the South Sea Islands and the negroes of New Guinea are descendants of Europeans of the stone period, but the dogma—"The course of general human development follows everywhere the same law of progressive culture."

Another essay by Professor Virchow, on "Means of Nourishment and Regalement," was called out by the famine in East Prussia. It has already received favorable comments from medical gentlemen here, to whom it may safely be left.

Professor Von Holtzendorff is one of the few German advocates of "woman's rights," and hence gives, under the title "Improvements in the Social and Economical Position of Women," an account of the ameliorations of the condition of women from the time of Aristotle to the present. The professor would be reckoned, by the women's rights leaders in this country, as a very moderate follower of the true faith, yet he is so much of a pioneer at home that a large deputation of ladies personally paid their thanks to him one day last winter, to his no small surprise and to the delectation of the Berlin newspaper correspondents. His demands are indeed not excessive. He would have women better educated, and their right to engage in any occupation for which they are capable recognized. To ask for them the right of suffrage is doubtless very far from his thoughts, though he does say, when speaking of America: "Whoever will logically oppose women's voting must change the foundation-principle of popular representation, and maintain that the right to vote is based on ability to discharge public duties, as military service, and not on abstract equality of individuals. As soon as the right of suffrage is simply coupled with the individual nature of mankind the difference of sex becomes of no significance." This is rather the language of the publicist and jurist than of the citizen, and it may be questioned whether Professor Von Holtzendorff would assent to its being put in practice. German women are a long and weary way off from anything like participation in politics, as may be seen from this lecture. What is here called "the maiden question," *i. e.*, stated in other words, What is to be done with unmarried women in Germany? must present itself with an irrepressibility that would have appalled even Governor Andrew. One hindrance to their occupying a position like that accorded their sex in England and America is their want of character, in the cultivation of which their education is deficient to a remarkable degree. Until some remedy for this defect in their training is devised marriage will continue to be, in Germany, a matter of bargain and sale, and to bring with it attendant evils.

"Wer Vieles bringt," says Goethe, "wird Manchem etwas bringen." In accordance with some such principle the range of topics discussed in these lectures is somewhat wide, and collected they form a valuable addition to any, but particularly to a school or parish, library. The undertaking has been found worth copying in Sweden, and there is now being published at Stockholm a similar series entitled "Vår tids Vetenskap i populära afhandlingar," and containing mostly translations from the German, *e.g.*, Von Holtzendorff's "Position of Women," Von Graefe's "Organs of Sight," and "The Death Penalty," by Professor John, of Königsberg. If a like imitation is made in New York or Boston, it is to be hoped that the price will not be placed as high as it is in Berlin, where single copies cost from 7½ to 10 and 15 silver groschen. This is reduced, if one takes a whole

series, to 5 groschen (12½ cents silver), or 4 thalers for an unbound volume of 900 pages. There should be no such drawback to so praiseworthy an attempt to bring the sheaves of the learned into the market of life.

*A New Practical Hebrew Grammar, with Hebrew-English and English-Hebrew Exercises and a Hebrew Chrestomathy.* By Solomon Deutsch, A.M., Ph.D. (New York: Leypoldt & Holt, 1868.)—In a brief preface the author enumerates the distinctive features of his manual, which, although many valuable Hebrew grammars have been published in this country, entitle him to the hope that "this fruit of earnest and zealous exertion will be found acceptable and useful." The principal of those features are: the utmost conciseness of the rules, coupled with perspicuity; their ample illustration by examples, and elucidation by exercises; the intrinsic value of the sentences selected for that purpose, almost each of which contains either an interesting historical fact or a pithy saying; the addition of English-Hebrew translating exercises illustrative of the rules which they follow, and "exactly keeping pace with the student's progress;" an Old Testament chrestomathy, composed of selections in prose and poetry, with a vocabulary explaining all words yet untranslated; another vocabulary with the aid of which the student is enabled to find the already given but forgotten meaning of words contained in the exercises; and the embodiment, in a compact form, of the most approved results of continental research in his field, including the recent labors of Fürst (in his "Lexicon"), Luzzatto, and Nägelsbach. We have examined into the intrinsic as well as comparative merits of the book, and we find that the credit claimed by the author for his production, as a work of conscientious labor and possessing "the character of novelty," is in every respect richly merited. It is evidently the product not only of conscientious, but also of long and assiduous, labor, as well as of extensive knowledge; and as regards the method, we can say without hesitation that we have never yet met with a manual so pleasantly paving the way to the literary treasures of an ancient language. But it is the elaborate character of the exercises which constitutes its chief claim to comparative excellence. Omissions could, of course, be pointed out in several parts, besides other minor imperfections. Thus, we find the English portions of the work not sufficiently revised, especially as to punctuation; nor does the brief list of "corrections" cover all the misprints in Hebrew. All these, however, are slight defects when put against the rare merits of the whole. Dr. Deutsch's "Practical Hebrew Grammar" fully deserves to be ranked among the foremost productions of its kind whether in America or Europe.

*Réfutation de Force et Matière. Le Matérialisme Contemporain.* Par Pierre Nolé. (Paris: Lemerre, 1868.)—The authorship of this spicy little octavo volume is entirely unknown to us. Internal evidence has led us to the conclusion that Pierre Nolé is the pseudonym of some savant who, for reasons doubtless satisfactory to himself, has chosen to put his visor down in entering the lists against the doughty champion of materialism, the author of "Kraft und Stoff." The strength and skill with which he tilts at his antagonist prove that he is not a novice in the art of dialectic fence. Besides, he is no mere professional scriver fighting with a button on his foil for the vain purpose of displaying his own dexterity, but an earnest and enthusiastic defender of spiritual beliefs in opposition to what he regards as the dangerous materialistic tendencies of the present day. It is also highly creditable to him that, notwithstanding the force of his convictions and the vigor and vivacity of his style, his book is comparatively free from appeals to popular prejudices, as well as from attempts to unbottle against his adversary the bitter vials of religious bigotry. The truth which he holds is, in his eyes, *trop sûre d'elle-même pour être farouche*. This genuinely scientific spirit is so rare in those speculative controversies which have a more or less direct bearing upon social, theological, and political questions that it cannot be too emphatically praised, especially when we remember how often Herr Büchner and his adherents have sinned against philosophic charity in attributing superstition and imbecility to their opponents. M. Nolé employs the Socratic method of discussion by assuming the rôle of an ironical interlocutor, and endeavoring to entangle his adversary in the meshes of an artfully woven dialogue. Against the unfairness of such a manner of controversy the German doctor might very justly protest, since it enables the inquisitor to ensure conviction by so adjusting questions and answers as to lead inevitably to a conclusion which might be wholly different if Herr Büchner were permitted to respond *in propria persona*. That M. Nolé has framed these replies on a careful and conscientious study of the work which he seeks to controvert, does not alter the inherent injustice of the method, nor make the results attained more satisfactory.

The first and most fundamental axiom affirmed by Herr Büchner is that there is no force without matter (*keine Kraft ohne Stoff*). M. Nölé enquires what is meant by force; Herr B. replies that by force he means a modification of matter, which reduces his axiom to the platitude that there can be no modification of matter without matter, or, in other words, that every river presupposes water. The second axiom is that matter is immortal. Why? Because it is indestructible. But physical indestructibility does not involve logical indestructibility; and matter is not logically indestructible, since we can conceive of the soul as existing when withdrawn from all the physical conditions of this life. The third axiom is that matter is infinite. Why? Because we see no end to it in either direction, whether towards the infinitely small or the infinitely great. But the fallacy here consists in making our senses (even when strengthened by the most perfect mechanical appliances) the measure of the reality of things. Thus M. Nölé attempts to show that the famous axioms of the materialistic school are only a series of affirmations, negations, and hypotheses, which, on critical examination, frequently resolve themselves into the most callow *petitiones principii*. We are by no means ready to aver that his "refutation" is always successful; the task, too, which he undertakes is that of purely negative criticism. He aims simply

to expose the inadequacy of the arguments which the materialists have brought against the reality of spiritual existence and the personal immortality of the soul. We recommend the book not because we regard it as wholly sound in its logic or correct in its conclusions, but because it lays bare many weak points in Dr. Büchner's reasoning, and will be a valuable help to the reader in settling in his own mind what is just now one of the much discussed questions of speculative philosophy.

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**CASH CAPITAL, \$400,000.**

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Losses Paid since Organization.....\$941,059 30

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I. REMSEN LANE, Secretary.

**NIAGARA**

**FIRE INSURANCE CO.**

OFFICE, 12 WALL STREET.

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OFFICES:

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Cash Capital,.....\$1,000,000 00

Assets, July 1, 1868,.....\$1,558,567 73

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Assets July 1, 1868, . . . . . \$5,052,880 19

Liabilities, . . . . . 499,803 55

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## OFFICE OF THE ATLANTIC MUTUAL INSURANCE CO.

New York, January 25, 1868.

The Trustees, in conformity to the Charter of the Company, submit the following Statement of its affairs on the 31st December, 1867:

Premiums received on Marine Risks from 1st January, 1867, to 31st December, 1867. \$7,322,015 00  
Premiums on Policies not marked off 1st January, 1867. 2,538,100 00

Total amount of Marine Premiums. \$10,160,125 00

No Policies have been issued upon Life Risks, nor upon Fire Risks disconnected with Marine Risks.

Premiums marked off from 1st January, 1867, to 31st December, 1867. \$7,597,123 00

Losses paid during the same period. \$4,234,364 61

Returns of Premiums and expenses. \$1,308,885 93

The Company has the following Assets, viz.:  
United States and State of New York Stock.  
City, Bank, and other Stocks. \$6,564,485 00  
Loans, secured by Stocks and otherwise. 2,175,450 00  
Real Estate and Bonds and Mortgages. 210,000 00  
Interest and sundry Notes and Claims due the Company, estimated at. 252,414 82  
Premium Notes and Bills receivable. 3,232,453 27  
Cash in Bank. 373,374 02

Total Amount of Assets. \$13,108,177 11

Six per cent. interest on the outstanding certificates of profits will be paid to the holders thereof, or their legal representatives, on and after Tuesday, the Fourth of February next.

Fifty per cent. of the outstanding certificates of the issue of 1865 will be redeemed and paid to the holders thereof, or their legal representatives, on and after Tuesday, the Fourth of February next, from which date interest on the amount so redeemable will cease. The certificates to be produced at the time of payment, and cancelled to the extent paid.

A dividend of Thirty per cent. is declared on the net earned premiums of the Company for the year ending 31st December, 1867, for which certificates will be issued on and after Tuesday, the Seventh of April next.

By order of the Board,

J. H. CHAPMAN, Secretary.

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### Law Department, University of New York.

The next annual session will commence on the 1st of October, 1868. Application may be made for further information to the subscriber personally or by letter at University Building, Washington Square, New York City.

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JAMES KENT STONE, President.

Geneva, N. Y., Aug. 27, 1868.

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